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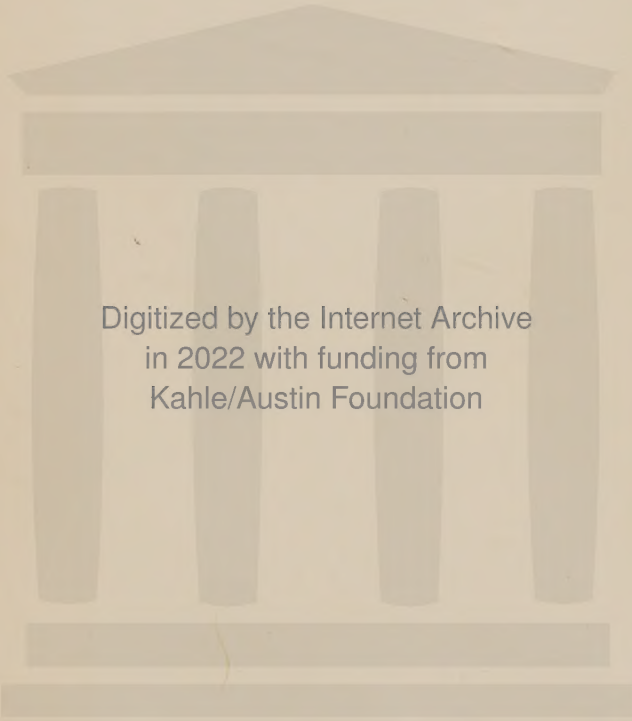
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A HISTORY OF PEEBLESSHIRE

VOLUME III

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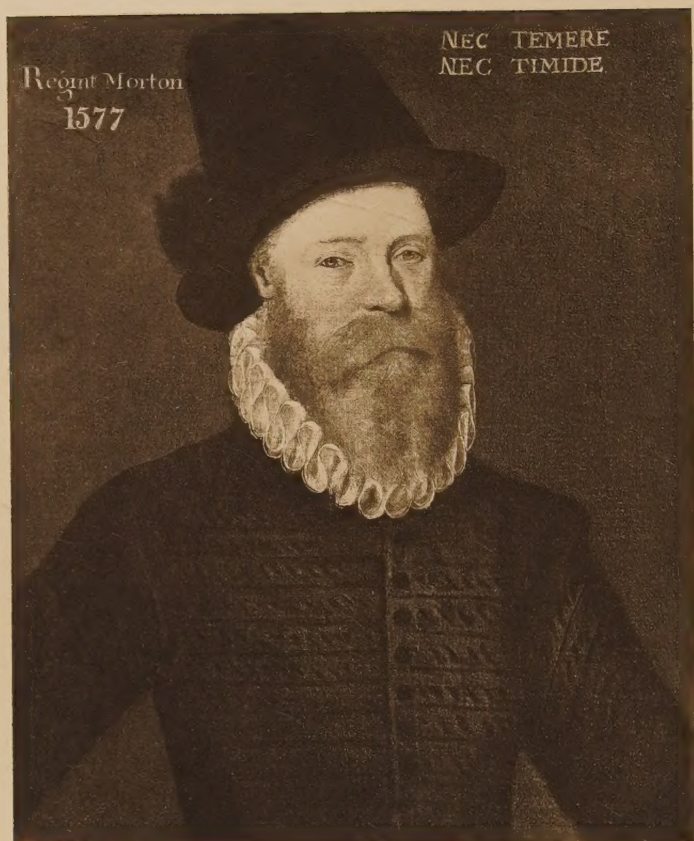
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MCMXXVII







*James Reginald*



# A HISTORY OF PEEBLESSHIRE

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EDITED BY

JAMES WALTER BUCHAN, M.A., LL.B.

TOWN CLERK OF PEEBLES

AND

THE REV. HENRY PATON, M.A.

*VOLUME III*

GLASGOW

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## PREFACE TO THIRD VOLUME

THIS volume completes the *History of Peeblesshire* which was undertaken immediately after the conclusion of the Great War. The task has not been an easy one, but the Editors have had many willing helpers to whom they are grateful. The first two volumes appeared in 1925, but the third volume has been somewhat delayed owing to the time occupied in arranging the mass of material which was available and in compiling an index, which it is hoped will be found useful. The difficulty has been to find space for what was considered essential. The exhaustive examination undertaken of the records was continually bringing to light fresh information, and the Editors are conscious that the work is still incomplete. But an attempt has been made to tell a connected story down to the present day, giving at the same time as complete a list of authorities as possible for the benefit of the present-day reader and the historian of the future.

Every effort has been made to compress the details, but so much had to be said that the Editors were reluctantly forced to depart from the scheme which they had originally planned. That scheme was that the first volume should be of a general nature, that the second should contain a history of the Burgh of Peebles and the various parishes, and that the third should present an account of the churches. It was soon evident that such a scheme could not be adequately carried through in three volumes and a fourth volume was out of the question. Something had to be omitted, and it was decided that it should be the Ecclesiastical portion, not, of course, because it was of less importance, but because there is already in existence a series of admirable books on

most of the churches in the county compiled by Dr. C. B. Gunn. This omission was a matter of great regret to the Editors, for Dr. Gunn had not only kindly placed his services at their disposal, but had actually, in accordance with the original scheme, compiled specially a condensed account taken from his books. To him the Editors are deeply indebted, for he has helped in many other ways. It was, however, decided that, although it was not possible to include the detailed history of the churches, it was necessary to give at least some account of the churches of Broughton, Glenholm, Kilbucho, and Skirling, as these had not been dealt with in Dr. Gunn's books. That has been done, and Dr. Gunn himself is responsible for the Skirling portion.

Although the original scheme was curtailed in this way, three volumes have provided barely sufficient space, with the result that this volume is much the largest, and it has been necessary to print it on thinner paper and to put a great part of it into smaller type. Some may think that many of the parish chapters deal too much with the lands and their owners and that space might have been given for a more detailed account of the peculiar features and characteristics of each parish. But the Editors feel that the method adopted, while not perhaps so attractive to the general reader, will be of more permanent use, not only because of its special value to the student of land tenure in Scotland, but also because the information given about the families is of very real interest to future historians.

Accordingly, the present chapters were constructed on a definite plan, and designed to give (1) a brief general and topographical account, and (2) a detailed record of the lands and estates, tracing these as far as it was possible from the earliest time and giving the proprietors down to the present day. In some of the chapters, however, particularly the chapters on Stobo and Tweedsmuir, a more generous scope has been allowed so as to afford the reader a picture of early parochial life in the Scottish Borders.

It is not claimed that this *History* will supersede all that has been written about the county. Armstrong and Pennecuik will always have their value, giving as they do the

viewpoints of their respective times, although the information they give (and there is not much of that) is often wrong. Dr. Chambers' *History* is still alive and does not lose its freshness, for it was written by a devoted lover of the district. And Dr. Renwick's works, scholarly, painstaking and accurate, are constantly referred to in these pages, and will always provide a mine of information for the student. Without the results of his lifelong and loving research this *History* could not have been compiled.

The Editors are deeply grateful for the financial help which has been given to them by Sir Alexander Grant, Bart., Lord Riddell, Col. John Buchan, M.P., and Mr. J. W. Buchan. Without their assistance it would have been impossible to face the expense of publication, for the reader is aware that, owing to the limited appeal that such a work makes, the proceeds of sales fall far short of the initial cost.

The services of the Rev. Henry Paton deserve special recognition. His researches into the records of the county, supplementing the previous researches of Dr. Renwick, have been of inestimable value. The information he obtained has been placed by him freely at the services of the contributors; moreover, he has revised and corrected every parish chapter in addition to writing himself the chapter on Newlands. It is not too much to say that no parish chapter would have been in its present complete form had the Editors not had the advantage of his profound knowledge, unflagging industry and kindly guidance. It is, therefore, only right that his name should appear jointly on the title-page of this volume.

Peeblesshire contributes little to the march of events in Scottish history. No great battle was fought in its confines; it was not a stage for any national crisis. But it had its notable families who played their part, and the accounts given of them will provide, it is hoped, pictures of typical Border lairds, living uneasily in the midst of constant hazard, turbulent and lawless often, but true to their friends and relentless to their enemies, and in the main faithful and loyal subjects. Almost all have passed away. Scott of Buccleuch, Stuart of Traquair, Naesmyth of Posso, Tweedie of

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Oliver, Horsburgh of Horsburgh, have still their representatives who own land in the county, but there is no trace now of Lowis of Manor, Inglis of Manorhead, Burnet of Barns, Murray of Stanhope, Hunter of Polmood, the Cockburns of Henderland and Skirling, the Porteouses of Glenkirk and Hawkshaw, the Tweedies of Drumelzier, Dreva and Fruid, Haldane of that Ilk, Geddes of Rachan, and Lawson of Cairnmuir. One noble family has always been definitely associated with Peeblesshire—Stuart of Traquair; and other great Scottish houses have had a Peeblesshire connection. The Comyns were here. The Black Douglasses were proprietors for a time of the barony of Glenholm. The Morton Douglasses had large possessions, particularly in West Linton, Newlands, and Kilbucho, and the Regent Morton was building Drochil Castle when he met his death on the scaffold. The Tweeddale family had for long their residence and principal possessions in Peeblesshire. The Scotts of Buccleuch take their origin at Kirkurd, and the Roxburgh family perhaps also owe their origin to the county.

Everything is now changed. The old estates are being sold and split up and new proprietors are constantly appearing. Even while this volume was in course of preparation Broughton, Carlops, Garvald, Medwyn and Spittalhaugh have changed hands, and have been or are being sold in lots to a number of smaller proprietors. The change that has taken place during the last thirty years has made the work of tracing the history of the lands very difficult, for in many cases the early titles, no longer of practical use, have fallen aside. With the splitting up which is now going on there will be a further loss of evidence. That is one of the reasons why the Editors decided that an effort should be made now to preserve in a permanent form the information which is at present available. Ten years hence the task would have been still more difficult.

Additional information discovered since the publication of the first two volumes, and necessary corrections, have been included in Appendix No. IX.

Finally, the sincere thanks of the Editors are due to all



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who have assisted in any way, to the present proprietors who have been willing to allow their titles to be examined, to their law agents for affording the necessary facilities and helping to clear up doubtful points, to the owners of family portraits for permission to reproduce them, to the Lyon Office and to Mr. F. J. Grant, Lyon Clerk, who has been most kind and helpful, and to the Historical Department of the General Register House, and to Mr. Angus, the Curator. The coats of arms in the text are by Mr. Law Samson, Herald Painter.

PEEBLES,  
*September, 1927.*



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## CHAPTER I

### THE PARISH OF NEWLANDS

#### I

THE parish of Newlands lies in the north end of Peeblesshire and is about nine miles long with an average width of from two to three miles. It is bounded by the parishes of West Linton, Kirkurd, Stobo, Lyne and Eddleston, and also by a small part of the Midlothian parish of Penicuik, at its extreme north. More particularly, the boundary, beginning at Leadburn, passes along the tops of the hills which divide it from Eddleston till it meets with Flemington Mill Burn; then circling Woodhill and Stevenston Hill it reaches the Water of Lyne, a little below its confluence with the Tarth Water; proceeding up the Tarth it turns at Knockknowes and Blyth Bridge along the road to the village of Mountain Cross, where it goes northward by Cairn Law towards Hyndfordwell, and returning by Hamiltonhall rejoins the road and at the same time the Water of Lyne, the course of which water it follows as far as Spittalhaugh; then turning eastward it passes over the Dodhead to Coalyburn or Macbiehill Station and thence across the moor to Leadburn. The extent of country thereby enclosed is given by the Rev. Charles Findlater in 1802 as 16,604 acres, but in 1835 he puts it as 11,337 acres, of which, he says, 3341 were under cultivation, 7659 were not, and 337 were covered by woods. Dr. Chambers, in 1864, made it 12,560 acres; now it is estimated at 12,531 acres.

In the oldest general history of Peeblesshire by Dr. Pennecuik, published in 1715, there are some references to the parish of Newlands, but little more than the mention of

the names of places as they existed in his day, and in the new edition of his work by Brown of Newhall, issued exactly a century later, that commentator's notes give additional information. In 1775 Captain Armstrong contributed something to its history, but the most useful and instructive work was that of the Rev. Charles Findlater, the minister of the parish, who in addition to his large book on the general agriculture of Peeblesshire wrote two separate accounts of the parish of Newlands for *The Statistical Account of Scotland*, one in 1790 and the other in 1834. There is also a little brochure on the parish by the late Rev. Alexander Williamson, D.D., minister of West St. Giles, Edinburgh, and a native of Peeblesshire, which formed the third of a series of booklets he issued called *Glimpses of Peeblesshire*. So far as can be gathered from these and other sources, the parish possessed of mineral wealth, whinstone in the valley of the Lyne, a red vein of hard free-stone in the vicinity of Halmyre, some ironstone about Romanno and Noblehouse, and slate, lime and coal; this last chiefly on the Grange estate, where it is still worked and has the distinction of presenting the smallest coal-mine known to exist. It has been for long wrought by but one man and his family, and that in conjunction with a limestone quarry and kiln in the neighbourhood, for which it supplies the fuel. In former days, however, this district is said to have furnished most of the lime required in the country, and the carting of it entailed much labour. An attempt was made in the eighteenth century by Captain Cochrane of Lamancha to utilise the ochres found in the district by converting them into paint, but this was not found remunerative. The parish was also long destitute of woods, but in the same century certain of the proprietors in combination and others by themselves began to plant, and the growth of the trees soon altered and beautified the face of the country.

The lines of communication by road in former days were very different from what they are now. In Pennecuik's time and for a century afterwards, the main road in the southern end of the parish ran mainly along the east side of the Water of Lyne from Stevenston to the church, crossing

and recrossing the river by fords, there being only a timber bridge opposite to the church at Cant's Walls, which was "scarce passable" when Brown of Newhall wrote in 1815. He mentions, however, that by that time a new road had been made through the parish as part of the highway between Edinburgh and Moffat and that a handsome stone bridge had been built over the Lyne at Romanno. Findlater refers to this road as the principal road in the parish, and deploras its evil condition, for, he says, it is but from fifteen to eighteen feet broad, and for seven or eight miles it is completely shaded by high walls and woody plantations, so that it is hardly ever dry. Before this the road for Moffat was through West Linton, and this new road was an extension of the old Peebles road from Edinburgh by Auchendinny and Howgate, the forking of the roads taking place at Moss-houses. The present road by Penicuik and Leadburn did not then exist. In his book Findlater makes a number of suggestions for the improvement of the old and the formation of new roads, and these were given effect to when the turnpike acts came into operation. One of these was the present road from Drochil to Newlands Church and the erection of a stone bridge there.

As to the population of the parish, the earliest information obtained is in 1755, when it was 1009 persons; in 1775, 940; in 1790, 891; in 1801, 950; in 1811, 1163; in 1821, 1041; in 1831, 1078. The population in 1864, when Dr. Chambers wrote, was 987, and the 1921 census gives it as 644, a very considerable decrease. Findlater states that in 1790 the number of horses in the parish was 230 and in 1834, 192; of cows 700 in 1790, and 340 in 1834; and of sheep 3000 in 1790, and 4000 in 1834. A tax imposed upon clocks and watches in 1799 brings out the curious fact that in that year there were in the parish eleven clocks, eight gold watches and ten silver ones. This compares favourably with the burgh of Peebles, where there were only fifteen clocks, two gold watches and nineteen silver ones.

The industries of the parish were for the most part farming and quarrying. The former still goes on, but there is



little of the other. There is now an extensive poultry farm at Romanno Bridge.

There are, or were, three hamlets in the parish—Cant's Walls, Romanno Bridge and Mountain Cross—all three being within a mile of each other and placed like the points of an isosceles triangle. The first named, Cant's Walls, stood near the church on the left bank of the Lyne, and would be the original kirktoon of the parish, but from all that has been ascertained it never at its best consisted of more than two or three houses, one of which in the early half of the nineteenth century was the school and school-house, and another had been an inn or public-house to which the Lairds in Pennecuik's time, as his poems show, occasionally betook themselves and passed the time with the bottle and mirth and jollity. In a poem in the form of an invitation to a friend to join him in the country he thus refers to the inn :

“ Sir, fly the smoke and glamour of the town,  
Breathe country air, and see the farms cut down ;  
Revel our Nature's sweets, and dine upon the chief,  
Praising the Granter of the plenteous sheaf.  
Free from all care we'll range through various fields,  
Study those plants which Mother Nature yields.  
On Lyne's meand'ring brooks sometimes we'll fish,  
The trout's a brave but not expensive dish.  
When limbs are wearied and our sport is done,  
We'll trudge to Cantswalls by the setting sun.  
And then some hours we'll quaff a cup of ale  
And smoke our pipe, backed with a wanton tale.  
We'll read no Courant which the news home brings,  
For what have we to do with wars or kings ?  
We'll ne'er disturb our heads with state affairs,  
But talk of ploughs and sheep and country fairs.”

The innkeeper in 1726 was a man named Robertson, and for reflecting on the character of the minister without due cause he was cited before the Presbytery and rebuked. Why the place was called Cant's Walls is one of those mysteries of nomenclature which await more light. In 1854 the hamlet could boast of only two houses, and to-day it contains no more.

Romanno Bridge is so called because it stands on the Romanno estate and beside the bridge which there crosses the Lyne on the main road from Edinburgh to Moffat. Here stood Romanno Mill and probably with it one or two houses ; but the origin of the village seems to have been due to the building activities of Peter Sanderson and his son, William, about the beginning of the nineteenth century. The ground belonged to the Lairds of Romanno, and on 30th January, 1804, Adam Kennedy, the then Laird, leased to William (who at his own expense had built the houses at the east end of the bridge over the Water of Newlands and was still building) the whole of these houses and the ground on which they stood, with further ground to the extent of an acre from the Millhill Brae to the public road, and with power to open quarries for three periods of nineteen years, which in 1807 was extended to ninety-seven years. The father, Peter Sanderson, had previously had a tack of the ground, and he and his son were also in occupation of Goldie's Mill and Dovecoathall. At no very remote date the village could boast of an inn, but the whole place is now absorbed by the new enterprise of poultry farming, the old mill having been transformed into a vast incubating establishment in which in the season are hatched thousands of chickens weekly.

The third hamlet, and it almost deserves the name of a village, is Mountain Cross, situated a short mile from Romanno Bridge on the same public road. How long it has been a village is not apparent, but references to it in 1710 and later point to its rather being a farm at that time. On 26th May, 1719, it is said to be in the possession of one Mathew Milne, and along with a place called Mosshead was reserved out of a tack by the Laird of Callands, its proprietor, to Andrew Borrowman of part of the lands of Callands; and on 13th February, 1749, William Scott is named as the tenant of Mountain Cross, on which day he made a disposition in favour of his sister, Henrietta Scott, wife of William Lindsay, in Wandelldykes, of all he might possess at his death. After the formation of the Relief Church in 1762, a congregation of that body built

their meeting-house there,<sup>1</sup> and that circumstance may have helped towards the nucleus of a village. What the name denotes has also been matter of conjecture, for there is no mountain at the place nor any trace of a cross, though there is a crossing of the main road by the old road from Drochil to Linton. Some think that Mountain is a corruption of Monkton; but there we leave it as another mystery of nomenclature about which it is unsafe to dogmatise.

The rental of the parish in 1793 was £2500, in 1834 £6300, in 1863 £8935 1s. 4d. It is now £9031 12s. 5d., of which £578 is the value of the pipes carrying water from Talla to Edinburgh.

## II

The earliest known designation of the parish or district is Rothmanic, and the name Newlands is not found on record till the beginning of the thirteenth century. Dr. Renwick<sup>2</sup> points out that in the extensive re-allotment of land which took place in the twelfth century, the north-west corner of Peeblesshire seems to have been divided between two southern settlers named Comyn, and Evermele or Vermel, the former obtaining the district now covered by the parish of West Linton (see p. 110), and the latter that of Rothmanic. About 1164 Philip de Evermele granted a ploughgate of land in the fief of Rothmanic (the land is still called the Plewland, on the Macbiehill estate) to the Church of Holyrood, to which was added considerable pasturage. His son added a large extent of land which reached on the north to the Linton march and on the south to the Eddleston march, and also made a grant about the same time to the monks of Newbattle of lands which had been in the possession of Hugh of Pettinain and Reginald, his son, and comprised practically the whole of the parish to the east of Macbiehill, the boundaries of which are described as follows :

From the Gallowhill along the way which leads by the Harestan to the Burn of Cadcalenoch, descending by that burn into the wood of

<sup>1</sup> It later became the U.P. Church for the district, and the Rev. Robert Rutherford was its minister for nearly half a century. He was father of Dr. Gunion Rutherford, the headmaster of Westminster School, and a famous Greek scholar. The membership in 1899 was between 60 and 70.

<sup>2</sup> *Historical Notes*, pp. 449-481, where he gives the charters referred to.

Derelech, then along the march between the said wood and the moss to the well which is called the head of Peblis,<sup>1</sup> thence by the march between the firm land and the moss towards Lechernard<sup>2</sup> and as the said moss turns towards the north and a certain well-strype descends at Sterneduft, then over northwards to the marches of Penycok, thence westward to the marches of Lyntoun and then southward by the peat moss above the hill near the land held by Ralph the priest to the Gallowhill.

This grant to Newbattle was made in exchange for a former grant which is not on record, and constituted what was afterwards known as Romanno Grange. This was about 1203, and twenty years later the monks of Holyrood exchanged their Romanno lands with the monks of Newbattle for Mount Lothian, and so ceased to have any further right, while Newbattle acquired the whole of the Romanno portion of the parish from Leadburn to Noblehall. Just after the Reformation, when the rentals of lands belonging to the various religious houses were prepared, among those pertaining to the Abbey of Newbattle were Romanno Grange and Plewlands with the mill, Coldcoat and Easter and Wester Deanshouses.

Nothing further has been discovered about the connection of the Evermeles with Romanno, but the lands were in ward in the hands of the Crown in 1266, through the minority of the heir, and the Sheriff of Traquair accounts for £2 3s. 4d. due to the Crown as the ward duties. The next reference to the lands is in 1335, when King Edward of England, as superior of the Crown lands in Scotland ceded to him by Edward Baliol, confirmed a charter by William de Coucy to his son of a number of lands in which were included those of Romanno in the county of Peebles, and which were said to have fallen into the hands of the Crown through the death of Crestiene Lyndseye, William's mother, whose heir he was.

Regarding the southern half of the parish, that is from Noblehall to Drochil and Stevenston, nothing has been found on record before the beginning of the fourteenth century, when John le Graham of Dalkeith appears in possession of the lands of Newlands in Tweeddale. There

<sup>1</sup> Peebles or Eddleston Water.

<sup>2</sup> Leadburn.



was then a church at Newlands of which he was the patron. He was at Dunfermline on 10th July, 1317, and on that day granted to the monastery of Dunfermline the patronage of the church of Newlands, with all its lands and pertinents.

This Sir John Graham, whose ancestors had been in possession of the baronies of Dalkeith and Abercorn since the days of David I., had, as his designation of "the father" shows, a son of the same name. He is said to have had an only daughter who married the famous Sir William Douglas, Lord of Liddesdale, who was also Lord of Kyncaivill. To this Sir William Douglas Sir John Graham, the son, as he had no issue of his own, conveyed his lands of Newlands and others, including the patronage of the church of Newlands, notwithstanding its previous disposition by his father to the monks of Dunfermline.

Sir William Douglas, in addition to Newlands, possessed Kilbucho and a number of other lands in Peeblesshire. He had grants of Eshiels, also of Lochurd, and of Whitfield in Lynton-Rotherick, and probably the whole barony of Lynton-Rotherick (West Linton), as it passed to his heir and successor from him. At the same time his kinsman, William, Lord of Douglas, seems to have been in possession of the barony of Romanno, which means that the whole of Newlands parish was in the hands of the Douglasses during the reign of King David II. It was about this time that the lands of Newlands were erected into a barony, and they, thereafter, as such share the history of the barony and regality of West Linton, of which a general account will be found at pp. 110-122. From a rental of the barony of Newlands, compiled in the year 1376, we find these lands specified.

BORDLANDE, set to John, son of Laurence, for £5 6s. 8d.; cautioner, James Swayne.

BREWLAND, set to Michael, son of John, for 26s. 8d. and 6 gallons; cautioner, Andrew, son of John.

QUHYTSYDE, in the hands of the Lord.

GLENMOTH, set to Andrew, son of John, for £6 13s. 4d.; cautioner, John, son of Alexander.

FLEMYNGTOUN, set to James Swayne and William, his son, for £12; cautioners, each for the other.



FREMANISLANDE, set to Adam the tailor for 20s. ; surety, Andrew, son of John.

COLTHROP, set to John Water, John son of John, and William, son of William, for £5 and two sheep.

DROUCHILDE, set to Allan, son of Henry, for £4 ; cautioner, Andrew, son of John.

MILL OF NEWLANDIS, set to Andrew, son of John, for 40s. and the feeding of one porker for the lord if sent by him ; cautioner, John, son of Alexander.

In the above rental Stevenston is not named, but a later reference to it in 1661 states it then to be a part of the barony of Newlands. Colthrop is Cowthropple afterwards Callands. At Whiteside, which the rental shows was retained in the proprietor's own hands as a residence, there are still the remains of an old baronial tower, and other ruins were found by the river side, sometimes named Grahams Walls, through which tradition has evidently maintained their connection with the first known owners, who would seem thus to have built the tower and made it their habitation.

Very probably, also, the ancient church of Newlands owed its existence to the Grahams, for, as has been shown, it existed in their day. Concerning its erection or that of its successor, the Rev. Alexander Williamson relates a traditional anecdote that the inhabitants of the parish were divided in opinion as to the side of the Lyne Water on which it should be built, and, contrary to the wishes of the monks, the party who wanted it to be on the Bordland side prevailed. They accordingly dug their foundations and had the stones prepared and brought forward for the building, but the night before they were to begin the building a fearful thunderstorm occurred. By the gleam of the lightning flashes, forms were seen flitting to and fro across the water, and in the morning the stones were found to have been transferred to the Whiteside bank of the river. This the inhabitants accepted as a Divine direction as to the site of the church, and accordingly there it was erected, and there it is.

It is noticeable that the name "Newlands" does not occur in connection with the parish until the time of the Grahams, and how it came to be given is involved in

obscurity. There is a reference to the "boundaries of the new land" in a charter by William Comyn, Earl of Buchan, about 1200 (p. 161), and probably that expression persisted. From the list of the lands just mentioned, as the contents of the barony of Newlands, none of the Romanno lands were at that time included, and the Newlands lands were all to the south-west of the church. Dr. Renwick suggests that as the Romanno part of the parish appears to have been settled earlier than the Newlands part, and as the latter came under cultivation about the time of the building of the church, the former would be considered the old lands and the latter the new. Be this as it may, one thing is evident, viz. that the church, being the Church of Newlands and drawing its sustenance from the lands both of Newlands and Romanno, drew both into one parish under the later name, which is the more likely, seeing the two parts were under the civil and ecclesiastical jurisdictions of Dalkeith and Newbattle.

A rental of the barony about 1600 is quoted in the *Origines Parochiales* (vol. i. p. 518), which shows the lands then included in the barony to be Quhytsyde, Mekilhope, Over and Nether Drochhollis, Cowthroppill, Boirland, the Kirklands and Fingland, the whole yielding a yearly rent of £2700 Scots; while teinds were also paid by the lands of Scottistoun, Boigend, Plewland, Cotquot, Grange, Easter and Wester Deanshouses, Halmyre Deans, Boighous, Rolmanno, Commonhauch, Flemingtoun and Stevenstoun.

### III

We now come to deal with the respective estates and farms in the parish, and their owners and occupants so far as ascertained.

#### ROMANNO

The name Romanno, which in former times connoted the greater part of the northern half of the parish, is now retained only in a comparatively small portion thereof, near Romanno Bridge, south of which are the Romanno Terraces and to the north the estate and mansion house of Romanno. That

the name owes its origin in any way to the fact that there was a Roman camp at Lyne, and that the road thence to the Lothians lay through the district is extremely improbable. Dr. Milne<sup>1</sup> took the view that the name meant Monk town and that the village of Mountain Cross was formerly Monk town Cross. This may be so with the latter, but there is no evidence for Romanno meaning Monktown. It is rather a later form of Rothmanic.

## ROMANNOIS OF THAT ILK

When surnames came into vogue, the then occupants of the land either assumed or were designated after the name of the farm or land they held, and so in 1492, Romanno is found in the possession of John Romannois of that Ilk,

## MURRAY OF ROMANNO



ARMS.—Argent a bugle sable, garnished gules. On a chief Azure three stars of the first.

who held it of the Crown for the annual payment of a pound of pepper. From him Romanno passed to Janet Romannois of that Ilk, probably his daughter and heiress, who had the estate in 1513. She was then the wife of William Murray, whom she had married without the con-

<sup>1</sup> Parish minister of Newlands, 1884-1918.

sent of the king.<sup>1</sup> She was still alive in 1551, but she was the last of that surname connected with the land of Romanno.<sup>2</sup>

The William Murray, who married Janet Romannois, is usually said to have been the third son of John Murray of Falahill and Philiphaugh, known in Border ballad as the "Outlaw Murray," but this is wrong. Sir James Balfour Paul maintains that he was the son and heir of William Murray of Shillinglaw, who may have been a grandson of Alexander Murray and Giles Cockburn, his wife, which Alexander calls his father, William Murray of Traquair; or again he may have been a son of Alexander Murray, son of John Murray of Blackbarony.<sup>3</sup> In 1527 William Murray made over to his brother Alexander the lands of "Erlisorcheard,"<sup>4</sup> and had letters of regress thereupon on 11th May, 1542; and in 1532 Janet Romannois, his wife, with his consent granted to their son and heir, William Murray, subject to their own liferent, the lands of Romannois and their quarter of Courhope,<sup>5</sup> to be held

<sup>1</sup> *R.M.S.* ii. 3871. She held part of the lands of Courhope (parish of Eddleston), which she conveyed in 1513, with her husband's consent to John Murray of Blackbarony and Isobel Hoppar, his spouse (see vol. ii. p. 472).

<sup>2</sup> There are not many instances of this surname found in those times. There is a Sir Alexander Romannois, a priest, who frequently acts as a notary between 1508 and 1520, a Thomas Romannois in 1542, a William Romannois in Duncanlaw in 1562, and Marion and Helen Romannois in Linton in 1575. It is probably the same name which we now know as Romanes (of whom there were a number in the shires of Roxburgh and Berwick), which sometimes occurs under the spelling of Rolmanhous.

<sup>3</sup> *The Genealogist*, vol. xv. p. 193.

<sup>4</sup> Earls Orchard (now Orchard Mains) is in the parish of Traquair. Alexander Murray had also in 1550 sasine in the half lands of Elibank, on a disposition by Janet Liddell, Lady Halkerston, and lady of the lands of Elibank. He had married Agnes Liddell, probably Janet's sister, and by her had a son and heir Robert (who had the lands of Orchardfield and Halyburn), and three daughters, Marion, Janet and Christian, the last of whom married William Scott of Howford. His second wife and widow was Margaret Nisbet. He died in June, 1576 (*Edin. Tests.*). He had also two natural sons by Janet Tweedie—Alexander, who was in Biggar at his father's death, and James (*Peebles Protocols*).

<sup>5</sup> From this and other deeds it appears that the former grant of Courhope made by them to Murray of Blackbarony was only a mortgage, and concerning it there were frequent transactions between the two houses.



of the Crown, which charter was then duly confirmed by King James V.<sup>1</sup>

In 1530 William Murray of Romanno was put under caution along with a number of other Peeblesshire barons to underlie the law for any crimes to be laid to their charge. Among the Yester Papers there is an instrument, upon a procuratory by him to John Hay, burgess of Peebles, to receive from Mr. Thomas Hay, brother german of John, Lord Hay of Yester, Sheriff Principal of Peebles, the sum of £50; also a receipt by Murray and John Hay for that sum, which is said to have been received and intromitted with by Hay, when the Sheriff took Murray out of the Tower of Romanno after the slaughter of Sir Alexander Innes, chaplain; and there is a discharge by Murray to the Sheriff for what he did on that occasion. The instrument was drawn up at the instance of Lord Hay in the Church of the Holy Cross at Peebles, on 16th February, 1545-6.<sup>2</sup>

William Murray appears to have died about 1560. Besides his son William, who succeeded him, he had two other sons; John, who acts as a witness at Peebles in 1559, and was ancestor of the Murrays of Halmyre and Stanhope; and James, who married Isobel Russell, and was dead before 1558. He had also three daughters; Marion, who married Thomas Duddingston of Cloich and Southhouse; Christian, who married William Cockburn of Henderland; and a third who married John Cunningham.<sup>3</sup>

William Murray, second of Romanno, was thrice married, his first wife being given as Margaret, daughter of Thomas Tweedie of Oliver Castle, whom he espoused in 1531. But the name is doubtful, unless his son also married a lady of

<sup>1</sup> R.M.S. ii. 466.

<sup>2</sup> There is also reference to this affair in Pitcairn's *Criminal Trials*, in which it appears that not only William Murray of Romanno was implicated, but his two sons, William and John, and a man named Thomson, and besides the slaughter of the chaplain, there was the mutilation and wounding of James Geddes. On 20th May, 1547, he was again put under caution to underlie the law for the slaughter of another chaplain, Sir Martin Ewmond. In the following year he is acting as a Sheriff-depute of Peebles.

<sup>3</sup> Burgh Court Books.



the same name. His second wife was Agnes Somerville,<sup>1</sup> daughter of Hugh, Lord Somerville, their contract of marriage being dated 25th February, 1554. On her marriage to William Murray, she was infeft in liferent by him and his father in one fourth of the Mains of Romanno and the Commonhauch. In little over two years there are evidences of conjugal disagreement, as on 1st October, 1557, in the Hall of Romanno in presence of a notary and witnesses she revoked a discharge she had granted for 1400 merks,—which sum had been placed in the hands of William Ker, burgess of Edinburgh, by James Cockburn of Skirling, brother of the deceased Sir William Cockburn of Skirling, for the benefit of William Cockburn, son of the said Sir William, and her,—into the granting of which she says she had been coerced by her husband, William Murray of Romanno, who lives vilely and is cruel to her. The Lady of Romanno, however, was quite able to look after herself. One of her tenants complained of her taking from him 15s. more than she was entitled to by the terms of his tack; and when the tenants of her three quarters of the lands of Kailzie paid their rents, they took the precaution of having the fact recorded by a notary. On 12th November, 1558, John Murray, her husband's brother, was accused of illegally taking a cow from the lands of Kailzie, and when he was challenged for it, and the cow taken from him at the west gate of Peebles by Thomas Tweedie, the bailie of the other quarter of Kailzie, and some others, he declared that he had taken the cow by express command of Agnes Somerville and her spouse, as the herezeld of the deceased William Stensone to which she was entitled as principal heretrix of Kailzie.<sup>2</sup> Agnes Somerville had also liferent rights over other of the Tweedie lands, and in 1560 had occasion to take legal proceedings against her son, James Tweedie of Drumelzier, for spoliation of the

<sup>1</sup> This was her second espousals. In or before 1533 she married John Tweedie, grandson of John Tweedie of Drumelzier, and as his widow had the liferent of the lands of Kailzie. She had a natural son to Sir William Cockburn of Skirling, who was legitimated by letters under the Great Seal on 29th April, 1550.

<sup>2</sup> *Peebles Protocols.*

west side of Stanhope belonging to her, when, apparently by way of amends and in return for her withdrawing from the prosecution, he granted to her an annual rent of £12 out of the east half of Halmyre and Boghouses during her lifetime. In 1562, when another of her sons, William Tweedie of Drumelzier, who had succeeded to his brother James, gave to Katherine Betoun on his marriage to her the £4 lands of Halmyre as her liferent lands, and was placing her in possession in the usual way by giving sasine, Agnes Somerville went to the front door of the house of Romanno and protested that his doing so should not be to the prejudice of her own liferent.

William Murray lived to a good old age and married his third wife, whose name was Helen Henderson. On the occasion of the marriage of his grandson, William, whose contract of marriage is dated 15th April, 1587, he granted a charter of his lands of Romanno to John Murray, his son and heir, and Margaret Tweedie, his spouse, in liferent, and to the said William Murray, their eldest son, and Agnes Nisbet, daughter of George Nisbet of that Ilk, his future spouse, in fee; the charter receiving the royal confirmation on 10th June, 1587.<sup>1</sup> He also held the office of sheriff-depute of Peebles, and a complaint was made against him by John Hay, who was both sheriff-clerk and town-clerk of Peebles, that he had caused him to be unjustly deprived of these offices, which meant a yearly loss to him of 200 merks. Hay took proceedings against him and also against David Creichtoun, who had been appointed in his place, and obtained an award of damages, but he does not appear to have recovered them.

In August, 1591, the three generations of Murray of Romanno then existing, father, son and grandson, were implicated in the slaughter of John Hamilton of Coldcoat, and were compelled to take refuge in exile. Proceedings were taken against their lands, and Bessie Baillie, the widow, and Jonas, William and James Hamilton, the sons of the murdered man, having represented to the Privy Council that the Tower of Romanno was being held by armed men

<sup>1</sup> R.M.S.

against the King, four officers at arms were sent to take and keep possession of it, and an allowance of 20 merks to each monthly out of the lands was granted for their maintenance. The wives of the three Murrays, Helen Henderson, Margaret Tweedie and Agnes Nisbet, who had as their residences the Tower and another house called the Templehouse,<sup>1</sup> represented to the Council the oppressiveness of this arrangement as they were all dependent for their livelihood upon the rents of the lands. They had been cited, but had taken no notice of the summons, and "gif they had knawen they wad have comeirit and stayed the granting of the samen." The Tower, they said,

"wes never keptit aganis his Hienes but only aganis rebels, as God knawis tyme will try, and thairfoir neidit na sic keiparis, it being bot ane auld ruinous tour not meit for na man till keip nor hassard his lyfe into ; and forder the saidis ladeis are conjunctlie infeft in fee and liferent in the haill landis of Romanno, quhilk is bot a puir ten pund land, in effect barren and subject to the incursionis and stouthis of the broken men and theives of baith the Bordouris, and the saidis complenaris and thair families have na manir of thing besides quhairupon to leive. [Therefore] it can naither stand with the law of God nor man to punish the innocent and to tak fra thame thair landis and lyves, although thair husbandis be now depyvit of his Hienes favour ; and gif ony doubt or scruple may be maid anent the keeping of the said house thay are content and presentlie offerris, the keiparis being removit furth thair of, with all diligence thaireftir to close up on thair awne expenssis the yettis and windois of the hous with stane and lyme and to be ansuerable that thair husbandis nor na utheris sall entir thairin without his Majesteis licence."

The Council, however, declined to comply with their request at the time, but it was granted a year later on their finding security that the rebels would not be sheltered in the Tower.<sup>2</sup>

William Murray was back in his lands before 1597, as on 28th April of that year he was called before the kirk-session for having on a Sabbath day in time of catechising, broken

<sup>1</sup> In 1665 there is mention of a piece of land called the Templedale in the barony of Newlands ; and on 17th February, 1693, Dr. Alexander Pennecuik of Newhall granted a tack to Robert Sanderson, tenant in Romanno, of one fourth of Romanno and part of the Temple land presently in his possession, but excluding the Temple burn, and Temple ridge and the park called the Temple croft. These lands had doubtless belonged of old to the Knights Templar.

<sup>2</sup> *Reg. Priv. Con.*

up the floor of the church and made an interment therein, thereby not only violating the law but profaning the Sabbath. He pleaded ignorance, but was ordained to stand next Lord's Day in the place of public repentance, make confession of his fault, and promise never again to do the like.<sup>1</sup>

By 1602 both William Murray, elder, and John Murray, younger of Romanno were dead, and William,<sup>2</sup> the grandson, was laird. In that year he signed the bond granted by the Border lairds to the Government for the keeping of the peace. John Hay revived his suit for damages against him, as representing his father and grandfather, but with no better success. Interfering in a quarrel in Peebles between the Pringles of Milkieston and the burghers in September, 1607, he was wounded. On 16th July, 1612, he obtained from the King a charter of *novo-damus* of the lands of Romanno with the manor place and the mill and mill lands. About this time also the feud with the Hamiltons of Coldcoat was put to rest by a marriage between the heir of Romanno, William's son, James, and the daughter of the laird of Coldcoat, Susan Hamilton.<sup>3</sup>

In 1617 a commission was granted to William Murray of Romanno to apprehend Adam and James Ros in Muirburn for an assault upon William Hamilton, portioner of Lochurd, and he must have died soon afterwards. Besides his eldest son, James, he had at least another called William, whose widow, Elizabeth Nisbet, died in Edinburgh in August, 1655, her testament being given up in December, 1656, by James Murray of Romanno on behalf of James Murray, her lawful son. In the Register of the Privy Council, 21st June, 1621, John Murray (called of Romanno), merchant in Edinburgh, is mentioned, who may have been a son of "Sour John." He was ordained to deliver up some of his Majesty's goods in his keeping to John Auchmoutie, groom of the bedchamber, upon inventory and receipt, to

<sup>1</sup> Church Records.

<sup>2</sup> He had a brother Adam, who was witness to a sasine at Stirkfield in 1589.

<sup>3</sup> R.M.S.



be placed in the King's wardrobe. This style "called of Romanno," generally indicates a son or brother of the house.

James Murray of Romanno, the eldest son of William, was laird in 1619. On 7th December of that year he became cautioner to the Privy Council for Andrew Murray in Romanno who had been fined 20 merks for the illegal use of firearms in killing wild fowl and deer and put under caution in 300 merks not to repeat the offence. Two years later he had his own licence to carry arms renewed owing, it would appear, to the existence of a feud between the Tweedies and the Murrays respecting the lands of Halmyre, it being noted in the Council's proceedings of the date that there had been a skirmish between them. In 1627 he appeared at the weaponshaw on the King's Muir at Peebles on 15th June, "weil horsit with ane sword, with four horsemen with lances and swords." In 1638 he served on an inquest for retouring John Fawsyde of that Ilk as heir to his grandfather, Robert Fawsyde of that Ilk, in the lands of Bogend, and he acted in a similar capacity on 29th October, 1647, at the service of William Murray, eldest surviving son of Sir David Murray of Stanhope, as heir male of the late John Murray, the eldest lawful son of the said Sir David. After the marriage of his son John to Elizabeth Lamb, and in implement of the terms of the marriage contract, dated 10th May, 1645, he resigned the lands of Romanno in their favour, reserving his own liferent and that of his wife, Susan Hamilton, on which a Crown charter was granted in 1647 by King Charles I.<sup>1</sup> James Murray of Romanno must have married a second wife, as there is on record a tack dated at the Kirk of Newlands on 18th January, 1658, by John Murray, younger of Romanno, and Elspeth Tweedie, his mother (probably meaning step-mother), to William Hislop in Commonhauch of their lands of Commonhauch<sup>2</sup> for a period of seven years, to which as

<sup>1</sup> In this charter half of the lands are described as eight "liggis" (rigs) of land, sometime held from the deceased Thomas, Earl of Haddington, from which it may be inferred that these were the original Temple lands.

<sup>2</sup> A farm on the west side of the Water of Lyne over against Spittal-haugh, being part of the Romanno estate.



witnesses appear James Murray, elder of Romanno, Mr. Patrick Purdie, minister of Newlands, and James Tweedie of Bordland. In or about 1662 both father and son were sued for teinds due from their lands to the Earl of Traquair.

James Murray seems to have died about 1670. He had several other sons besides John, who succeeded him. There was Robert, who was apprenticed in 1648 to James Gillies, tailor in Edinburgh, and who left a son Archibald; William, who was apprenticed in 1665 to Robert Murray, tailor in Edinburgh; Alexander, who married Margaret Cairncross and was a witness to the upgiving by his father in 1656 of the testament of Elizabeth Nisbet, his aunt; David, who died in June, 1683,—styled in his testament brother german of John Murray of Romanno, and one of the gentlemen of his Majesty's Life Guard of Horse,—leaving a widow, Agnes Scott (their contract of marriage being dated 9th April, 1673; and James. James Murray had also a daughter, Liliass, who married in 1672 Mr. Patrick Purdie, minister of Newlands, *secundus*.

John Murray of Romanno is in evidence as laird from about 1670, and in 1676 gave his only lawful daughter and child, Margaret, in marriage to Alexander Pennecuik, M.D., eldest lawful son of Alexander Pennecuik of Newhall, surgeon in Edinburgh, and Janet Leslie, his wife. Their contract of marriage was drawn up at Romanno and Newhall on 7th February, and among the witnesses were Alexander Baillie of Callands and Mr. Patrick Purdie, minister of Newlands. It was in this laird's time, on 1st October, 1677, that there fell out on Romanno ground the "memorable polymachy" between two clans of gipsies, the Faws and the Shaws, who had come from Haddington Fair and were on their way to Harestanes in the parish of Kirkurd where they expected to meet with and fight other two gipsy clans, the Baillies and Browns.

Of the Faws there were four brothers and a brother's son; of the Shaws a father and three sons, and a number of women on both sides. They fell out at Romanno about the division of spoils they had taken at Haddington and in the skirmish old Sandie Faw, a bold and proper fellow, and his wife, who was with child, were killed, and his brother George dangerously wounded. All the others were at once arrested

by the laird of Romanno and taken to the tolbooth of Peebles, and the matter having been reported to the Privy Council they were ordered to be sent to Edinburgh for trial. Their names are given in the order as Robert Shaw, Margaret Faw, his spouse, James, Patrick, Alexander and Thomas Shaw, their sons, and Helen Shaw, their daughter; also Robert and John Faw, John Faw, younger, Agnes and Isobel Shaw, Isobel Shaw, younger, and George Faw. A further order was given on 27th October to the laird of Romanno, Alexander Pennecuik and Mr. Patrick Purdie to send in to the Clerks of Council all arms and other things in their custody which were upon these persons called Egyptians when they were apprehended and imprisoned, and the Sheriff-depute of Peebles was also instructed to send to the said clerks the money, gold, gold rings and other things which were upon them, and were then in his keeping. The result of the trial was that old Robert Shaw and three of his sons were found guilty and hanged in the Grassmarket in February, 1678, and their bodies, with their clothes on, were thrown into one hole dug for them in the Grayfriar Churchyard. Next morning only three bodies were there, that of the youngest son, who was barely sixteen, being amissing, and public opinion was divided as to whether he had recovered animation and escaped or his body had been stolen by some surgeon for anatomical dissection.

To commemorate the incident, Dr. Pennecuik erected the Dovecot of Romanno upon the spot in 1683, and placed upon the lintel of the door this inscription :

“ The field of Gipsie blood which here you see  
A shelter for the harmless dove shall be.” <sup>1</sup>

John Murray of Romanno was one of the Peeblesshire lairds who on 1st April, 1678, signed the Band to abstain from conventicles and attend their parish churches. He was also a justice of peace for the county. In 1685 he produced, as a freeholder entitled to vote for a member of Parliament, his Crown charter of Romanno with the Kirklands and also the Temple lands thereof; but it looks as if his son-in-law had been put in possession of the fee of the estate before this, as on 16th September, 1684, Alexander Pennecuik “ of Romanno ” was ordained to pay to William Baillie, chamberlain to the Earl of Tweeddale, the sum of £60 for a year’s teind of Romanno; and he is also so designated in 1680. John Murray was still alive on 23rd July, 1690, as on that day he was a witness

<sup>1</sup> The farm of Dovecothall now occupies the site.

to a bond by William M'Kee, shoemaker in Romanno, but he must have died before 1693, as on 17th February of that year Dr. Alexander Pennecuik of Newhall, calling himself heritable proprietor of Romanno, granted a tack of part of the lands.

## PENNECUIK OF ROMANNO



ARMS.—Or, a fess between 3 hunting horns sable garnished and stringed Gules.

CREST.—A stag lodged under an oak tree proper.

MOTTO.—*Ut Resurgam.*

Thus the estate of Romanno passed from the Murrays into the hands of the Pennecuik family in the person of Dr. Alexander Pennecuik. As already mentioned, he was the eldest son of Mr. Alexander Pennecuik, surgeon in Edinburgh, who was probably the son of another Alexander, the last of the Pennecuiks of that Ilk,<sup>1</sup> who sold his patrimonial estate in 1604 to Mr. John Preston of Fentonbarns, his Majesty's Collector General, which, after it had passed through other hands, was acquired by John Clerk, the ancestor of the Clerks of Penicuik in 1653. Alexander Pennecuik, the surgeon, purchased the lands

<sup>1</sup>In 1576 John Pennecuik of that Ilk was superior of Auchincorth, and in 1586 John Pennecuik, younger of that Ilk, and Euphame, his spouse, were superiors of part of Slipperfield. This John had a brother Gilbert.

of Newhall in 1647 from George Watson of Newhall, and died there about 1690 at the age of ninety years, leaving several children. His son, the laird of Romanno, wrote *A Geographical Historical Description of the Shire of Tweeddale, with a Miscelany and Curious Collection of Select Scottish Poems*, which was printed in 1715, and in it he mentions his own estate in the following terms :

“ Then follows Romanno Deans, Romanno Mill and the old house of Romano,<sup>1</sup> situat at some distance above the Water (the Dead Burn) betwixt two burns in a spacious green. This ancient family were originally Romanos of that Ilk untill 200 and odd years ago by the marriage of the heiress, Janet Romano to a young gentleman, William Murray, second brother of the honourable family of Philiphaugh; it hath continued in that sirname for seven lineal descents till now by a like revolution it is in the hands of Dr. Alexander Pennecuik by marrying the heiress, Margaret Murray.”

Dr. Alexander Pennecuik was in 1704 served heir to his younger brother, John (who died on 27th January, 1690), in the lands of Harlawmuir (p. 129); and in 1706 he served upon a jury for the retour of Robert Naesmyth of Posso as heir to his brother, James Naesmyth. At a meeting of the freeholders of the county on 3rd October, 1710, he produced his charter and sasine of the lands of Romanno as evidence of his right to a vote, but objection was made by the laird of Horsburgh that as he had denuded himself of his land by resignation in favour of John Farquharson of Kirkton of Aboyne and had only the Dean of Romanno he could not vote. It was decided, however, that as he was in possession of charter and sasine he had the vote. Dr. Pennecuik and Margaret Murray had two children, daughters, the elder of whom, Elizabeth, married Mr. James Oliphant of Newton, in 1702, and he received with her as dowry the estate of Newhall. The younger, Margaret, married the above-mentioned John Farquharson of Kirkton of Aboyne, and he had the reversion of the estate of Romanno disposed to him in 1707, the wadset value being 5000 merks. Dr. Pennecuik fell into financial difficulties and several bonds were recorded against him. One of these,

<sup>1</sup> It is curious that Pennecuik omits Romanno Mains, which formed an important part of the estate.



dated 27th August, 1709, is to Alison Pennecuik, second lawful daughter of James Pennecuik, writer in Edinburgh, for £105 which he had received as her tutor on her behalf from the effects of the deceased Captain Steven Pennecuik, his brother, and which had fallen to her as one of the children of the said deceased James; and in the same year there is a second bond by Dr. Pennecuik and Margaret Murray, his spouse, to the said Alison, for 850 merks, and in this bond James Pennecuik is called brother german of Dr. Pennecuik. Alison married John Gordon <sup>1</sup> of Kirkhill, and he became her assignee to the debt. After that the disposal of the property seems to have passed out of Dr. Pennecuik's hands into that of John Farquharson, for on 7th March, 1715, at Cant's Walls, Farquharson granted a tack to James Todrige, indweller in Mosshouses, of a house<sup>2</sup> and piece of ground at the foot of the Green of Romanno, then possessed by Elizabeth Corbat, widow of William Gray, gardener there, until Martinmas, 1717, and it is provided that if Dr. Alexander Pennecuik of Romanno or, after his death, Margaret Murray, his spouse, who are liferenters of the lands, should think fit to take the same into their own hands he should receive as much ground upon any other part of Romanno. John Farquharson also set a tack on 8th February, 1718, to James Wilson, smith in Romanno, of the house and smithy<sup>3</sup> then occupied by him until the Whitsunday following the death of Dr. Pennecuik and his spouse for the yearly payment of £8 10s. and the shoeing of two horses to the said John Farquharson or any person to whom he should assign the right.

Dr. Pennecuik died in July, 1722,<sup>4</sup> and on 23rd April, 1724, his eldest daughter, Elizabeth, wife of Mr. James

<sup>1</sup> In 1713 a John Gordon, tenant in Romanno, is giving trouble to the kirk-session, as being an avowed Papist, and there is also a Mary Farquharson of the same persuasion. It looks as if both had come from the north.

<sup>2</sup> This house is believed to be the cottage in the garden now used as a toolhouse.

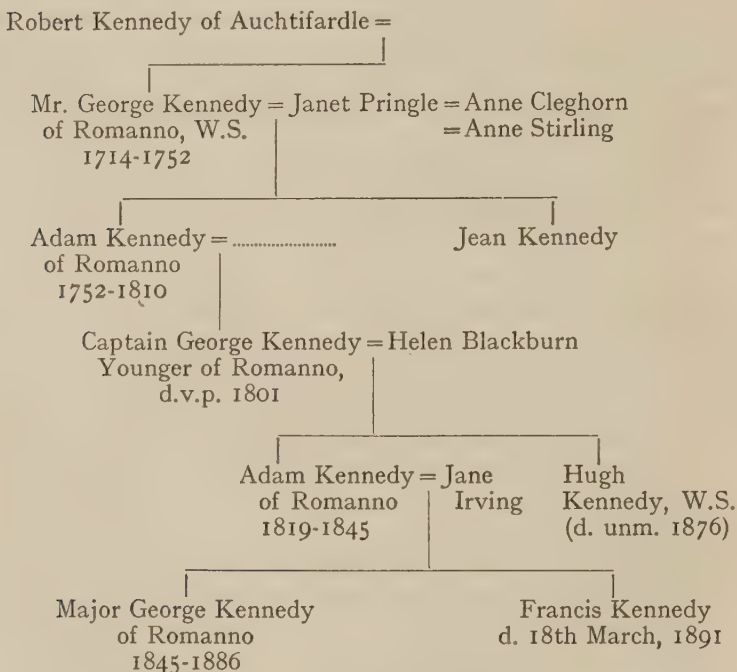
<sup>3</sup> The smithy was at Dovecothall Farm.

<sup>4</sup> Margaret Murray, his widow, survived him for ten years, living in a humble residence at Boroughmuirhead near Edinburgh, her only



Oliphant of Langton, as one of his two heirs portioners, was served his heir in one half of the lands of Romanno, she having appointed her eldest son, Alexander Oliphant, to act as her procurator in the matter.

## KENNEDY OF ROMANNO



In 1724 John Farquharson, with consent of his wife and her sister, sold Romanno to George Kennedy, a younger son of Robert Kennedy of Auchtifardle in Lanarkshire, who paid for the same 39,000 merks, to be paid in instalments, besides which he was to give, in accordance with a custom of the time, 50 gold guineas to Margaret Pennecuik, the

means of support being the tack-duty or rent of Romanno, amounting to 250 merks or about £14 sterling in the half year, payable by William Montgomery of Macbiehill to whom the lands had been leased, and she was consequently often harassed by creditors. She appears to have died about 1732.

seller's lady, for a gown.<sup>1</sup> Mr. George Kennedy followed the profession of a W.S. in Edinburgh, and held the office of Warden of the Scottish Mint with a salary of £150 yearly. He married in February, 1714, Janet, daughter of Andrew Pringle of Clifton, and had at least one son, Adam, and a daughter, Jean, and lived in a flat in the Covenant Close off the High Street of Edinburgh. In October, 1721, he married as his second wife, Anne, daughter of Adam Cleg-horn, merchant and bailie of Edinburgh; and in January, 1731, he married his third wife, Anne, daughter of George Stirling, surgeon. He added to his possessions in Peebles-shire the small property of Kaimhouse,<sup>2</sup> which he bought from William Murray of Spittalhaugh in 1728; he very greatly improved the estate of Romanno and built a new mansion-house farther to the north than the old one, so that he might have a clear view up the course of the Dead Burn with the other mansions thereupon, Murrayshall, Bogend, Macbiehill, Lamancha and the Whim at the head.<sup>3</sup> So writes Brown of Newhall in his annotations to his re-issue of Dr. Pennecuik's *Description* in 1815, and he also notes that his son and successor, Adam Kennedy, added to the house a court of offices, and

"by his care and attention during a long life in draining, surface culture, enclosing and planting, has not only rendered his own estate the neatest and most finished property in this district of the county, but by the influence of his example has greatly contributed to the obtaining for its former bare waste moors, bleak cold hills, bogs and myres the appellation of the Garden of Tweeddale."

George Kennedy died in 1743.

<sup>1</sup> Dr. Chambers, p. 488, quoting from "Romanno Papers, consisting of innumerable documents of great interest," p. 483 *n*. These he says he saw in the possession of Mr. George Kennedy in 1864, p. 493. Efforts have been made to trace these Papers, but unfortunately without effect.

<sup>2</sup> Kaimhouse, or Combehouse, is part of the Bog of Romanno, and is mentioned in 1631 as included in the barony of Newlands. In 1654 it was wadset by John, Earl of Traquair, to James Douglas of Spittalhaugh, and with the rest of the barony was purchased by the Earl of Tweeddale in 1672.

<sup>3</sup> The new house was built in 1725, that date being carved on a stone above the centre window over the front door. It is said that George Kennedy pulled down the old house and used the material for the new one.

Adam Kennedy of Romanno was laird for over half a century. He received a Crown charter of resignation of the £10 lands of Romanno on 8th August, 1752, and was infeft therein on 23rd September thereafter. In October, 1783, he acted as an arbiter along with Andrew Hamilton of Spittalhaugh in a dispute between Robert Brown of Newhall and Alexander Chatto of Mainhouse regarding the boundaries between Carlops and Stoneypath in the parish of Linton.<sup>1</sup> In 1788 James Kennedy of Auchti-fardle and Kailzie, who was probably his cousin, appointed him one of the curators to his children. In 1791 his son, Captain George Kennedy, younger of Romanno, married Mrs. Helen Blackburn, their marriage contract being dated 16th and 27th June; but this son predeceased his father before 1801.

In that year Adam Kennedy of Romanno made an entail in favour of himself and certain heirs, but this was reduced by his grandson and successor, Adam, in 1819 when, as son of Captain George Kennedy, he was served heir to his grandfather and thereafter infeft in the lands on 10th August of that year. This Adam Kennedy married Jane Irving and had a son and successor, Major George Kennedy, who on 29th April, 1845, served himself heir to his great grandfather, the first named Adam Kennedy of Romanno, and at the same time obtained a decree of the Court of Session reducing the service of his own father in 1819 to the same person. Major George held the property till his death in 1886 and during his time the valued rent of the estate amounted to £508.

#### CAMPBELL OF ROMANNO

On 13th November, 1901, Romanno was disposed by Major George Kennedy's trustee with consent of Major

<sup>1</sup> John Symington, tenant in Castlelaw, received a tack from him on 20th November, 1787, of the lands of Castlelaw and Pendrick, including Drummach (Drum maw) Hill possessed by John Paterson, Castlelaw being said to be bounded by the new strip of planting between it and Noblehall to the west and a ditch made in a straight line from the bottom of the said strip above the old Church road to the said Adam Kennedy's Dovecoat Park dyke.

Irving John Francis Kennedy of Romanno and Mrs. Helen Dorothea Kennedy, widow of William Calderwood Sandilands, for £10,000 to Mr. George Campbell of Condorrat, W.S., Edinburgh, being described as the £10 lands of Romanno, comprehending the Mains, town and lands of Romanno, Temple lands and four acres, the Mill of Romanno commonly called Goldie's Mill, with the mill lands, the lands of Cant's Walls and Commonhaugh with the old house or fortalice of Romanno and the new mansion-house thereof, but excepting the farm of Noblehall<sup>1</sup> and Pendreich sold to Robert Grieve and Goudie's Mill<sup>2</sup> sold to Sir William Ferguson of Spittalhaugh by George Kennedy of Romanno, and excluding also the Bogue (or Bog) Parks of Romanno sold by Adam Kennedy in 1820 to Thomas Tennant in Spittalhaugh.

Mr. Campbell is the younger son of Arthur Campbell, W.S., of Catrine, Ayrshire, a branch of the Campbells of Auchmannoch, near Kilmarnock, who were cadets of the Campbells of Loudoun. He married, 6th October, 1892, Frances Caroline, eldest daughter of Thomas Cuninghame, third son of Alexander Cuninghame, W.S., of Newholm, Lanarkshire, and has two sons, Arthur Thomas (born 31st August, 1893), and George (2nd July, 1900), and one daughter, Frances Cecilia.

<sup>1</sup> Noblehall took its name, Dr. Chambers thinks, from John Noble, who occupied it in 1731. In the Sheriff Court Records in 1759 there is mention of a John Noble, elder in Noblehall of Romanno, but he is described merely as tenant there, and his son, John Noble, younger, is at the same time tenant in Goldie's Mill. The former died in January, 1776, when he is called lately tenant in Noblehall and thereafter indweller at Boghouse, intimation of his edict being then made at the instance of his two daughters, Margaret and Elizabeth, the former of whom was the wife of Charles Lawson, late tenant in Boghouse and then in Murrayshall. Noblehall was sold along with Pendreich in 1845, by the trustees of the then deceased Adam Kennedy, of Romanno, for £5000 to Robert Grieve, a merchant and bailie of Edinburgh, and his son, David Grieve, was served as heir to him therein on 22nd May, 1854, and had his title confirmed by the Crown in the following month, after which it was acquired by William Ferguson of Spittalhaugh for £6500 (see p. 171).

<sup>2</sup> Now called Goldie's Mill. It was sold on 6th December, 1876, for £1000, and is described as lying on the north of the highway to Dumfries, between the lands of Damside and Romanno Bridge village (see p. 172).



The dwelling-house has a sunk area or passage along the front caused by the raised carriage drive, and in the bank of the drive, thus formed, were three arched cellars. These, with the two wings of the house, appear to have been added by Adam Kennedy, as there is evidence of older built-up doorways on the ground floor of the centre part. Two of these cellars Mr. Campbell removed in 1912, and added the present porch and steps at the front door. The surrounding park, which is between 700 and 800 feet above sea-level, contains many well-grown trees, and a few exceptionally fine ones.

In May, 1921, Mr. Campbell sold the village of Romanno Bridge to Messrs. Adams and Linkie, poultry farmers. This village, as has been said, was built by Peter and William Sanderson (p. 5), and reverted to the estate in 1904. Part of the farm of Romanno Mains has been sold, with entry at Whitsunday, 1927, to the Trustees of the Royal Victoria Hospital Tuberculosis Trust, Edinburgh.

The present rental of Romanno is £453.

#### HALMYRE

The name of this estate, Halmyre or Hall of the Myre, indicates the character of the ground of which it was originally composed, although now its nature is entirely changed. Speaking of the mansion-house of his day, which he says was built by the once eminent and powerful Baron Tweedie of Drumelzier, Dr. Pennecuik states that it stands upon a little mound surrounded with bogs and meadows excellently watered with a large and limpid spring, and Dr. Chambers adds that being thus situated on a kind of protuberance and a vaulted and defensible fortalice, it was not easily approachable in warlike times. It lies almost directly north from Romanno, of which in former times it formed a part, and the estate embraces also the farms of Halmyre Mains and Halmyre Deans. During one part of its history its name was changed to Murrayshall after the name of the then proprietors, but when it passed from them its former name was resumed and continues.



The lands of Hall of Myre belonged in the reign of James II. to John Sinclair of Herdmanstoun from whom in 1449 David Ramsay, parson of Carrington, held a tack of them for 19 years and out of which the latter granted an annual rent of 5s. to Gilbert Forrester of Drylaw and Christian Ramsay, his spouse, who was probably the granter's daughter. In 1457 this Gilbert Forrester acquired these lands of Halmyre on their resignation by the said John Sinclair, and on 17th June received a charter thereof from the Crown, his sasine therein following on the 22nd.<sup>1</sup>

## TWEEDIE OF HALMYRE

In 1478 Forrester made over one half of the lands of Halmyre and the Camys (Kaims) to Walter Tweedie of Drumelzier, with the exception of six acres and eight souns of animals for grazing horses on the lands of Camys held in tack by William Merschell, and Tweedie obtained a Crown charter on 14th March, 1478-9. Walter Tweedie then divided these lands thus acquired by him between his two sons, Walter and William, giving to each of them a £10 land in liferent. The sasine to Walter Tweedie, younger, is dated 24th September, 1480, and he is thereupon designated Walter Tweedie of Halmyre.

Three years later, on 29th November, 1483, James Tweedie of Drumelzier was infeft in the lands as heir to his father, Walter Tweedie of Drumelzier, and on 13th June, 1490, this James was in turn succeeded by his son John Tweedie of Drumelzier, and he wadset the lands to Mr. Bernard Baillie, parson of Lamington, who gave letters of reversion thereupon on 15th June, 1520. Soon afterwards Tweedie's half of Halmyre along with Deanshouses (p. 68) and its mill and pendicles, which were said to extend to the value of 210 merks yearly, were included with Drumelzier in an apprising led by Malcolm, Lord Fleming, against John Tweedie of Drumelzier and James Tweedie, younger thereof, his son and heir, for the avail of the marriage of Katherine Fresale (Fraser), grand-daughter and heiress of the deceased William Fresale of Fruid (see p. 404). The right thus acquired was confirmed to Malcolm, Lord Fleming, by charters from King James V. in 1525 and 1527, and Dame Janet Stewart, the King's sister and wife of the said Malcolm, was given a liferent interest in the lands.<sup>2</sup>

On 14th May, 1533, Thomas Tweedie in Holyfir (Oliver) Castle renounced all right he had to the £10 lands of Halmyre, and another renunciation was made on 27th May, 1536, of the half lands of Halmyre, with Wester Deanshouses as warrandice lands, by William Marjoribanks, son of John Marjoribanks, Burgess of Edinburgh. There is also a letter of reversion by William Marjoribanks in 1539 to James Tweedie of Drumelzier for the redemption of the said half lands of Halmyre upon payment of 200 merks, which suggests that Marjoribanks derived what right

<sup>1</sup> *Duns Castle Report*, p. 29.<sup>2</sup> *Duns Castle Report*, p. 30.

he had thereto from Mr. Bernard Baillie, who had the wadset for that sum in 1520. On 19th October, 1537, James Tweedie of Drumelzier was infeft as heir to his father, John, in the lands, which after this appear to have been portioned out among various people, as on 10th June, 1552, Adam Tweedie appointed John Moubray his assignee to the half of a quarter of the lands of Halmyre formerly occupied by the said Adam. On 6th May, 1560, James Tweedie of Drumelzier gave sasine to Agnes Somerville, his mother, Lady of Kailzie, and then wife of William Murray, younger of Romanno, of an annual rent of £12 out of the east half of Halmyre and Boghouses in liferent, and on the death of this James, his brother, William Tweedie of Drumelzier, who was his heir and successor, was infeft in Halmyre at the principal messuage thereof on 11th November, 1561. William Tweedie married Katherine Betoun, and on 22nd June, 1562, she was infeft, in terms of their contract of marriage, in liferent in the £4 lands of Halmyre. Her taking of sasine was accompanied by a protest made at the front gate of Romanno by her mother-in-law, Agnes Somerville, that it should not be to the prejudice of her annuity of £12 from the same lands (p. 15).

William Tweedie was succeeded by his son, James, who was served heir to him on 6th March, 1588, in the lands of Halmyre, and died on 28th July, 1612. His son and successor, James Tweedie of Drumelzier, was served heir on 2nd November, 1615, to his grandfather, William Tweedie of Drumelzier, in these lands, and on a precept from Chancery was infeft in them on the 10th. This James in his father's lifetime married (contract dated 13th November, 1606) Margaret, eldest daughter of Sir James Anstruther of that Ilk, and part of her liferent provision was from the lands of Halmyre in which she took sasine on 26th June, 1607. In January, 1617, and again on 20th June of that year, he, with consent of Elizabeth Hay, then his wife, disposed to John Murray of Halmyre, merchant in Edinburgh, and Janet Howieson, his wife, his lands of Halmyre and Wester Denys, also the lands of Boghouse, and the disposition was ratified in 1630 by John Tweedie, his son by Margaret Anstruther.

#### MURRAY OF HALMYRE

This John Murray who thus acquired the lands of Halmyre was the grandson of John Murray, the second brother of William Murray of Romanno, who, says Dr. Penicuik, by his industry became a rich merchant and was ordinarily termed at London "Sour John of the Spiceries." He was great-grandfather, he says, of Sir David Murray of Stanhope. He died at Halmyre and was buried at the Church of Newlands, where he built a burial aisle, on the front of which in raised letters were carved the words,

"*Hic quia sacro fonte lotus sum saxeæ moles erigitur gratia Mneigü oson ion* (the three last words in Greek <sup>1</sup>) *animi*," also the year of erection, which is defaced. The inscription translated reads : "This fabric of stone is erected here as a memorial in gratitude because I am purified by the holy font."

John Murray also acquired in the year 1617 from James Tweedie the lands of Stanhope and Torpedo, and in 1620 the lands of Hopcarton in wadset. From James Tweedie of Dreva and his son John, he purchased Stobo, Dreva and Muirburn, of which lands he had a charter from James, Archbishop of Glasgow, on 27th August, 1619, and a confirmation from the Crown on 7th December following. Some dissatisfaction with the settlements led to an armed feud between parties. On 19th July, 1621, John Murray complained to the Privy Council as follows :

"He lately bought certain lands from James Twedie sometime of Dreva and in addition to paying the full price agreed upon he gave 'the said James whole bairnis satisfactioun for thair kyndnes to thair full contentment,' expecting to possess the lands in peace, but Thomas Twedie in Dunsyre and William Twedie in Scotistoun, brothers of James, 'oute of thair lawles and insolent humour' resolved to compel the complainer to buy their 'kyndnes' or else to take his life or lay his lands waste. Professing all outward show of love they 'keepit als familiar and social company with him as could be expectit frome most inteir and loveing freindis, and this thay did to draw him in a cairles securitie and to mak him void of all apprehensioun of fear or trouble.' Having been warned, however, of their wicked intentions he raised and on 10th May last executed letters of lawburrows against them, whereupon they 'avowed with mony fearfull oathes that thay sould haif his lyff afoir thay fand caution.' On 13th May last they came to search for him, 'demanding first at James Twedie in the Deaneis of Romanno quhair the said complenar wes and thaireftir at James Smaill and Alexander . . ., his awne tennentis of Halmyre, and knowing be thame that he wes riddin to the Walkfeild to visie some of his goodes thay adress thame selffis thair with all speed ; bot finding that he wes riddin away the said Thomas send to the place of Coitquoit for his sones best horsse, quhilk being broght unto him he and his brother horssit and with all speid followit the said complenar to Lintoun and fra that the hie way towardis his awne house.' When they came near him they drew their swords 'and shoutit unto him crying, "Traytour, thou sall die "' and ere he was aware or could alight from his horse they gave him 'ane grite straik in the lighting

<sup>1</sup> These Greek words (quoted from Pennecuik) would probably be *Mneia hosios on*.

cut his left leg with a broadsword thinking thereby to have struck the leg from him." "He fell to the ground and while he was lying there as if dead they gave him many 'deadly strokes' on the head and other parts of his body. They also went to his fields of . . . and threatened to kill his tenants if they laboured the lands so that they have left them waste."

There was a counter complaint by Thomas Tweedie, portner of Netherurd, and William Tweedie of Scotstoun giving their version of the encounter.

"John Murray of Ramsey having lately charged the said Thomas and William to find 'lawgivers' to him they absolutely set forth to Edinburgh to find the desired justice. While they were on their journey at the town of Larrow where John Murray was, and riding directly from it towards Edinburgh they turned back to inform Murray 'by fair means' not to trouble them with lawgivers, perceiving themselves that as he was their kinsman and they had never offended him he would yield to their entreaties. They overtook him at the Broomhouse, he being with James Murray of Ramsey and Thomas Edmund of Sapperton, all three armed 'with excellent hagliettes, pistollis, etc.' On seeing the complainers Murray and his friends 'turned towards them with becom hagliettes and pistollis in their hands quicke they flew,' complainers escaping because the peers 'misgill.' They then drew their swords and attacked companions and ere Thomas Tweedie could light him his horse or draw his sword they gave his horse 'two gude strokes' upon the head with a sword, quicke strokes were stricken out at himself but he having retained the same they light upon his horse."

In defence John Murray declared that

"he never offered a stroke to the saids Thomas and William Tweedies nor he was dung of his horse and layd on the ground and that he drew a pistollitt to defend himself."

and he produced a remission under the great seal for his wearing pistols, and affirmed that the Tweedies made the first onset.

The Tweedies were found guilty and imprisoned in the Tolbooth of Edinburgh.<sup>1</sup>

On the occasion of his complaint against James Tweedie in 1720, John Murray further complained to the Council against James Tweedie of Dravay. John Tweedie, his brother, his son, Mr. James Tweedie,

<sup>1</sup> Reg. Priv. Coun. Not in spite of these facts, John Murray later befriended the head of the family, James Tweedie of Urquhart, who was kept a prisoner in the Tolbooth of Edinburgh for five years by John, Lord Hay of Yester (see p. 431).





ROCKING



WATERS





portioner of Stobo, Thomas Tweedie of Dunsyre, Mr. John Tweedie of Winkston, John Tweedie of Innerlethen, Walter Tweedie, son of James Tweedie of Dreva, and William Tweedie, son of John Tweedie of Innerlethen, that having been put to the horn for not finding caution and lawburrows not to molest the complainer, his wife, family nor tenants under penalties of 1000 and 400 merks they had ignored the same. The Lords of Council gave order to the Captain of the Guard to apprehend these persons, seize their houses and make inventory of their goods for the King's use. Two years later on 25th July, 1623, John Murray himself was put under caution of lawburrows in £1000 not to molest Jonas Hamilton of Coldcoat nor his dependents, Sir Robert Scott of Hayning being cautioner for him.<sup>1</sup> Both parties were in the following month made justices of the peace for Peeblesshire.

John Murray of Halmyre was alive in 1623, but died before 1627, leaving four sons and four daughters, one of whom, Margaret, married in 1642, as his second wife, Sir Alexander Murray of Blackbarony, and was the ancestress of the Murrays of Cringletie. (See Pedigree.)

David Murray of Halmyre appears to have been under age when he succeeded his father, as in 1629, when he made resignation in the hands of the Crown of the lands of Clifton or Oxnamyside in Roxburghshire, he had to obtain the consent of his curators, Robert Murray, burgess of Dundee, and Robert Murray, merchant burgess of Edinburgh. He was present, however, at the weaponshaw on Kingsmuir, Peebles, on 15th June, 1627, "weil horsit, accompanied with 39 horsemen, and ane buffcoat, collet; all the rest with lances and swords." On 11th July, 1628, there is presented a petition to the Privy Council by Jonas Hamilton of Coldcoat representing that David Murray of Halmyre, out of a deadly hatred against him, molests him and his tenants and servants in the peaceable possession of his lands from which he intends by way of bangsterie and oppression to drive him and then appropriate them to himself. He craves that Murray may be put under caution of lawburrows. In the same month David Murray succeeds in getting another caution of lawburrows against him by John, Lord Hay of Yester, and others, reduced from £1000 to £500. There are transactions also between him and the Tweedies regarding Drumelzier in 1629 and 1632.

<sup>1</sup> *Ibid.*

David Murray married (contract dated 30th October, 1627),<sup>1</sup> Lilius Fleming, daughter of John, Earl of Wigtown, and on 24th March and 16th April, 1630, with her consent, disposed of his lands of Halmyre and Wester Deans to Wilkin Johnstone, merchant burgess of Edinburgh.<sup>2</sup> The transaction is also recorded in a Crown charter granted by King Charles I. on 4th December, 1630, to Wilkin Johnston, and Margaret Joussie, his wife, in liferent, and to Andrew Johnston, their son and heir, and his heirs in fee, of the lands and manor place of Halmyre and the lands of Wester Deans with the mill, and in warrandice thereof, the Mains of Drumelzier.<sup>3</sup> Johnston is said to have paid 17,000 merks for the lands. David Murray was created a knight in 1634, and betaking himself to his lands of Stanhope is best known in history as Sir David Murray of Stanhope. His future history is treated of under Stanhope in the parish of Drumelzier.

#### JOHNSTONE OF HALMYRE

Wilkin Johnstone of Halmyre seems to have had passed on to him with the lands something of the feud about them among their former owners. In December, 1631, the Privy Council were called upon to take notice of an assault made in the previous month on Archibald Johnstone, servant of Wilkin Johnstone, while about some business in Linton, by Patrick Murray, indweller in Edinburgh, who without any provocation drew a whinger and gave him a deep and deadly stroke therewith in the belly to the great effusion of his blood and peril of his life ; and on 30th October, 1645, Wilkin Johnstone himself is accused by William Tweedie, son of James Tweedie of Bogend, of riot and bloodshed, but the charge was denied. Andrew, the son of Wilkin, died about this time, and his father was served his heir in the lands of Halmyre and Wester Deans on 28th May, 1646. Sophia, the elder of Wilkin's two daughters, married Walter Murray, a younger son of Sir Archibald Murray of Blackbarony, and as her husband he

<sup>1</sup> In Wigtown Charter Chest.

<sup>2</sup> Peebles Burgh Court Book.

<sup>3</sup> *R.M.S.*

succeeded to the lands. Wilkin Johnstone made some alterations on the mansion-house, and a stone still preserved in the building bears his initials. He died probably before 1653, and his widow, Margaret Joussie, died in 1659, her testament being given up by her grandson, Alexander Murray, younger of Halmyre, as her executor in 1673. There is also a service of Sophia Johnstone to her father on 18th January, 1681, in which she is called his eldest daughter.

## MURRAY OF HALMYRE

Walter Murray is laird of Halmyre in 1653, as under that designation he was a witness in that year to the marriage contract of his niece Margaret Murray, the eldest daughter of Sir Alexander Murray of Blackbarony, and Sir John Gilmour. On 20th December of the same year he received in terms of his marriage contract (dated 12th and 13th December, 1644), a charter from the Keepers of the Liberties of England to himself, his wife Sophia (daughter of Wilkin Johnstone), and Alexander, their eldest son, of the lands and manor place of Halmyre and the lands of Wester Deans with the mill and mill lands, under reservation of the liferent of Margaret Joussie (Sophia's mother), and certain provisions for her other daughter, Agnes Johnstone. On 3rd October, 1661, and again on 23rd January, 1662, he was appointed by the Privy Council on commissions for the trial of witches, viz. Jonet Scott and George Lumsdeall in Innerlethen and Christian Simpson in the parish of Penicuik. In 1671 he acted as a curator to the young children of his brother, Sir Alexander Murray, by his second wife. He appeared on a jury in April, 1675, but he was dead by March, 1676. Besides his eldest son, Alexander, Walter Murray left other two sons, Archibald and Walter, and he had also a daughter, Janet, who married David Plenderleith of Blyth as his third wife<sup>1</sup> and bore to him three sons, Archibald, Alexander and John Plenderleith.

<sup>1</sup> His two former wives were Marion Livingstone, eldest daughter of Mr. Patrick Livingstone, the brother of Alexander Livingstone of Saltcoats; and Mary Geddes, sister of James Geddes of Rachan.

Alexander Murray of Halmyre succeeded his father, Walter, and appears as a witness to a deed at Cringletie on 21st March, 1676. As a freeholder in the county he was present at a meeting on 20th October, 1685, and produced the Crown charter of Halmyre granted to his father and Sophia Johnstone, his mother, as evidence of his title to vote. He subscribed the Band for abstention from conventicles on 1st April, 1678, and in 1693 was elected commissioner to Parliament for the county, a position he held until his death in 1700.<sup>1</sup> Before his death he made over his lands to his brother Walter, and in the deed of transfer he stipulated for a liferent from them of £240 Scots (£20 sterling) with the use of a mid-chamber on the second storey of the house and a chamber on the uppermost or third storey, also a stable and a chamber above it whenever he might feel disposed to reside at Halmyre.

Walter Murray thus succeeded his brother, and is styled "of Halmyre" in transactions with his tenants in 1702 and onwards. On 4th July, 1704, he had a Crown charter of Halmyre and Deans, and in 1708 he took a bond from John Thomson, tenant in Coldcoat, for £178 9s. of arrears of rent of the lands of Deans, "belonging to me." He died at Edinburgh in May, 1729, and his testament was given up by Robert Murray, writer there, his eldest son, who was served heir to him on 12th March, 1730. He had other children, at least two daughters, Margaret and Janet, who with their said brother are mentioned as legatees in the will of Robert Murray of Murrayshall, who died in 1743.

#### MURRAY OF HALMYRE OR MURRAYSHALL

To this Robert Murray of Murrayshall, Walter had disposed the estate of Halmyre in 1725.<sup>2</sup> He was a

<sup>1</sup> Sheriff Court Books.

<sup>2</sup> During the time of these two last lairds and their father the following persons were tenants or upon the lands, viz. : Hew Johnston and Hew Grossar in 1655, Thomas Lauder in 1676, and Robert Hislop in 1674, and again in 1682, when he obtains a summons against George Milne, sometime in Halmyre and now fled from the shire with his whole belongings, for riot and bloodshed against the complainer's wife and daughter and



merchant in Edinburgh and the son of Robert Murray, also an Edinburgh merchant, who was a younger son of Sir Archibald Murray of Blackbarony and Lady Margaret Maule. This laird changed the name of the estate to Murrayshall. He married on 15th September, 1698, Elizabeth Murray, daughter of Sir Alexander Murray of Blackbarony and Dame Margaret Murray (the sister of Sir David Murray of Stanhope), but apparently he had no children, as on 25th April, 1739, he executed an entail of his lands of Murrayshall, Wester Deans with the mill, Boghouse and its commony and pasture, and their warrandice lands of Drumelzier, in favour of his nephew, Robert Keith of Craig in Kincardineshire, and his children by his wife, Margaret Cunninghame, viz. Robert, Basil, William, Janet, Agnes and Anne Keith, it being a condition that the heir succeeding should assume the surname of Murray. Robert Murray of Murrayshall died in Edinburgh on 8th February, 1743, and among the legatees named in his will are his niece, Jane Arbuthnot, daughter of Captain Andrew Arbuthnot and wife of Thomas Murray, late provost of Kirkcudbright, and another niece, Barbara Sterling, daughter of the deceased Lieutenant Sterling.

#### KEITH OF MURRAYSHALL

Robert Murray Keith of Murrayshall thus became the next laird. He was the eldest son of Robert Keith of Craig and the grandnephew of Robert Murray. His father

threatening him with a drawn knife. For this Milne is banished for ever from the county and the decree which discharges all persons from resetting him under a penalty of ten merks is ordained to be promulgated at the parish churches of Linton, Newlands and Kirkurd. On the same day Hislop himself is accused of contravening the act made against Milne and fined. Hislop is still in Halmyre in 1685, and there is also George Merk. In 1688 James and William Cairns are tenants of Halmyre. Mention is made of Michael Harper in 1694, Andrew Alexander, tenant in 1696, and of John Mitchell, herd, Marion Merk, and Thomas Richardson, who in 1681 is on the leet for the eldership in Newlands kirk. There are also William Hislop in 1701 and 1705, David Hislop and John Thomson in 1706, James Mitchell in 1715, Andrew Black and Gavin Muirhead in 1716, and William Somerville and Alexander Davidson in 1725; while in Halmyre Deans there were Thomas Murray in 1655 and again in 1699, John Borrowman in 1697, John Thomson in 1706, and John Cleugh in 1713.

had filled the high offices of minister plenipotentiary from the British Court to those of Vienna and St. Petersburg, and he himself was a colonel in the army and British ambassador to the Courts of Vienna and Sweden, and while at Copenhagen was the means of protecting Queen Caroline, the sister of George III., from the fury of the populace. His next brother became Admiral Sir Basil Keith. Robert Keith Murray (who was knighted) died in 1795, and was succeeded by his eldest sister, Mrs. Janet Keith, on whose death in 1803 the property passed to her youngest sister, Mrs. Anne Murray Keith of Murrayshall (the Mrs. Bethune Balliol of Sir Walter's Scott's *Chronicles of the Canongate*). On 20th September, 1808, she disposed the estate, including the lands of Wester Deans and Boghouse,<sup>1</sup> to William Gordon, a descendant of the Gordons of Gordonston.

#### GORDON OF HALMYRE

William Gordon of Halmyre paid £16,000 for the estate and made a number of improvements upon it. He also extended it by the purchase of the lands of Kaimhouse for £1500 from Adam Kennedy of Romanno, in 1809, but later sold a part of it. He married Mary Dunn, and at his death left a large family with whom his second surviving son, Richard, an accountant in Edinburgh, came under an agreement to purchase Halmyre for £22,300, and he thus became its owner in 1854.

Richard Gordon of Halmyre also greatly increased the estate. He married Catherine Montgomery, a daughter of Charles Ferrier of Baddinsgill in the neighbouring parish of West Linton, and in this way acquired not only that property, but also the farms of Stoneypath and Cairnmuir in that parish. In 1856 he renovated the old mansion-house of Halmyre, modernising it in some aspects, but retaining in the lower storey the two vaulted apartments which form the remains of the ancient keep. Over the

<sup>1</sup> The tenant of Murrayshall in 1776 was Charles Lawson, formerly in Boghouse, the father of the Rev. Charles Lawson of Selkirk, who was born at Boghouse in 1749.

doorway are blended the arms of the Gordons and the Ferriers with their respective mottoes, "*Sans crainte*" and "*Diligentia ditat.*"

Richard Gordon was dead in 1866, and on the death of his widow in 1884 the estate passed to her nephew, Charles Ferrier Gordon, the only son of her sister, Magdalene Ferrier, who married Dr. Archibald Gordon, C.B., Inspector General of Hospitals. Charles Ferrier Gordon's *curator bonis*, in 1912, sold Halmyre by public roup for £12,000 to Misses Alice, Magdalene and Isabella Gordon.

#### THE PRESENT PROPRIETORS

These ladies in 1919 sold the farm of Halmyre Deans to John White, builder, Edinburgh, who has since resold it to Charles William Twogood; the mansion-house and 72 acres of ground with cottage and fields at Boghouse also to John White, who sold that part to Robert C. Buchanan, who in turn sold it to the present proprietor, William Thyne; and the rest of the Halmyre lands, including Kaimhouse, to Ronald Jordan Thomson, late captain in the Border Regiment, who built thereon a new dwelling-house, which is now a conspicuous feature of the landscape.

The present rentals are:—Mr. Twogood's, £248; Mr. Thyne's, £188; and Captain Thomson's, £523.

#### COLDCOAT OR MACBIEHILL

The estate of Macbiehill, which lies between Halmyre on the west and Grange on the east and south, was formerly called Coldcoat, a name variously spelled and pronounced, as will be seen as it occurs in the sequel. Little is known of its history in early times. In 1296 one Geoffrey de Caldcote of the county of Peblis swore fealty to Edward I. of England, which indicates that it was a separate property at that time and gave a surname to its owner. It formed part of the temporalities of the Abbey of Newbattle, and is mentioned in a pre-Reformation rental of the Abbey as contributing £3 6s. 8d. annually to the ecclesiastical revenues. The next ascertained owner was John Cockburn of Ormiston, who had a charter thereof from Mark Ker,

Commendator of Newbattle, on 12th December, 1558,<sup>1</sup> and he on 16th May, 1562, signed a procuratory for the resignation of the lands into the hands of the Commendator or Abbot of Newbattle, his superior, in favour of John Hamilton of Stirkfield,<sup>2</sup> who became the first of the Hamiltons of Coldcoat, most of whom were macers in the Court of Session.

## HAMILTON OF COLDCOAT



ARMS.—Gules, 3 Cinquefoils between 2 flasques Argent.

CREST.—Cupid with bow, quiver and arrows all proper.

MOTTO.—*Quos dedit arcus amor.*

John Hamilton of Coldcoat, macer, was in 1568 convicted of treason and forfeited his lands, at least for a time. On 20th December of that year a charter was granted by Mark Ker, Commendator of the Monastery of Newbattle, which narrates that he had received letters under the quarter seal presenting to him Richard Hamilton, son of John Hamilton formerly of Cowtcoit, macer, as a lawful tenant in the lands of Cowtcoit in the sherifffdom of Peblis, which had belonged to the said John in feufarm, but had been forfeited by him on being convicted of treason. The lands were to be held by the said Richard in feufarm for the payment of £4 13s. 4d. yearly.<sup>3</sup> They seem, however, to have been restored to the father and he enjoyed their possession until his death, which took place by slaughter in August, 1591, at the hands of the Murrays of Romanno. In his testament mention is made of Bessie Baillie, his widow and the mother of his children,

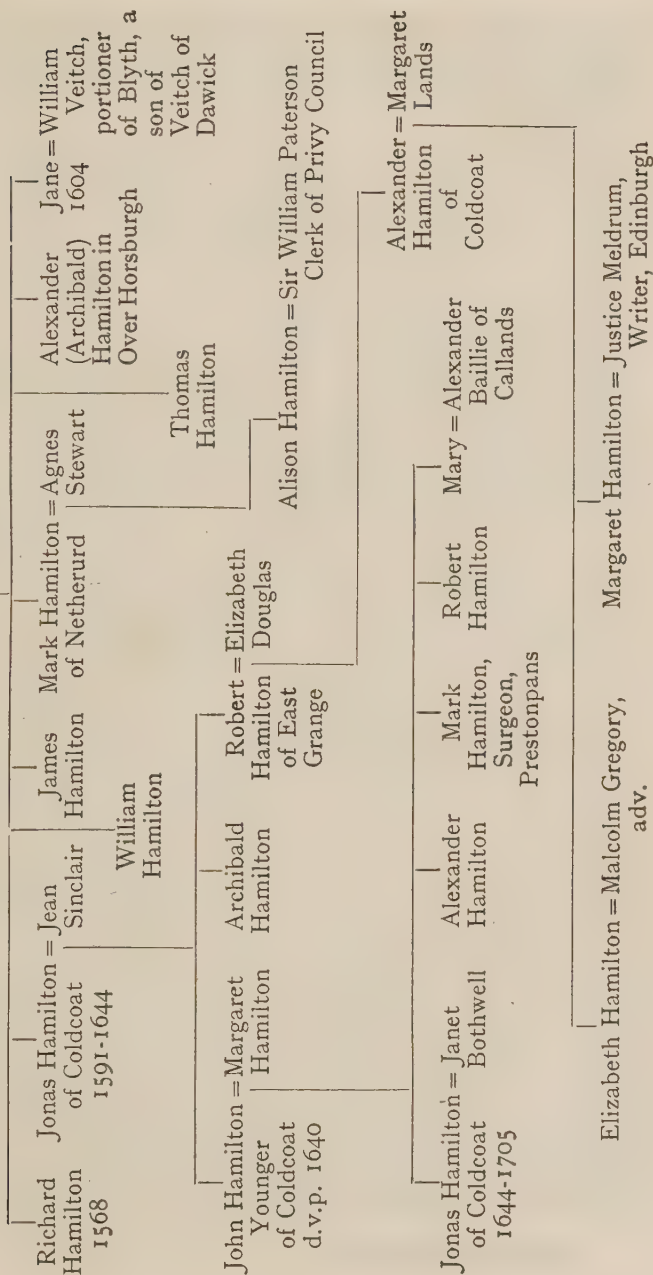
<sup>1</sup> Laing Charters, No. 938.

<sup>2</sup> *Ibid.* No. 737.

<sup>3</sup> *Ibid.* No. 838.

# HAMILTON OF COLDCOAT AND GRANGE

John Hamilton of Stirkfield and Coldcoat = Bessie Baillie  
1562-1591





who were named,—Richard, Jonas, William, James, Mark, Thomas, Alexander and Jane. His plenishing and the stocking of his farms of Coldcoat and Fingland were valued at £2190 13s. 4d., and there was due to him £1513, including rent by George White in Millside.<sup>1</sup>

Jonas Hamilton of Coldcoat, then the eldest son of John, succeeded his father. With other Border lairds he signed the general band for the keeping of the peace in 1602 at Peebles, notwithstanding of which he was a participator in several breaches of the peace with his neighbours.

In 1610 he and his brother Alexander are at issue with John Ramsay of Whitehill and his brother David, over a question of some cattle which had been stolen from the Ramsays, and both parties were bound over to keep the peace towards each other under the penalty of 3000 merks, John Geddes, portioner of Kirkurd, and William Veitch, portioner of Blyth, being cautioners for Jonas and his brother, whose sister the said William Veitch had married in 1604. James Veitch in Stewarton acknowledged on his knees before the council that he had slandered the Hamiltons and craved their forgiveness, which was granted, and he was also to do the same publicly in Newbattle Church next Lord's day under the penalty of £1000 Scots.<sup>2</sup> In 1613 the Privy Council granted a commission to Alexander Hamilton of Quotquot or his brother James to apprehend and bring to justice George Craufurd, a natural son of . . . Craufurd of Glenure, on a charge of theft; and a similar commission was given on 27th September of the same year to Jonas Hamilton of Quotquote and his brother Mark to arrest John Dickson, another suspected thief. In the following year in a feud between these brothers of Jonas and some of the Veitches, James Veitch in Stewarton was killed and Alexander Hamilton was complained upon to the Council. Friends on both sides, however, took the matter up, on the one side being William Veitch of Dawyck, Andrew Veitch, brother of the slain man, Marion Wauchope, his widow, William Veitch of Kingsyde and Robert Veitch in Stewartoun, who nominated to arbitrate for them Sir Gideon Murray of Elibank, Treasurer Depute, and Sir John Cockburn of Ormiston, Justice Clerk, while on the other side Jonas Hamilton of Coitquott acted on behalf of his brothers and nominated to arbitrate for them Thomas, Lord Binning, and Sir Alexander Drummond of Medhope. It took a year to reach a settlement, but on 19th December, 1615, the Veitches and Jonas Hamilton and his brothers, William and Mark, appeared before the Council and thereupon William Hamilton humbly upon his knees acknowledged his offence in the slaughter of James Veitch and craved the forgiveness of God and the friends of the said James for that deed. He then did them homage and in token of reconciliation they "choipit handis everie one of thame with another and promiseist to keip the

<sup>1</sup> Edinburgh Testaments.

<sup>2</sup> *Reg. Privy Coun.* vol. ix.

said freindschip inviolable in all tyme comeing." Still another feud is on record between him and John Murray of Halmyre, and the latter on 25th July, 1623, was bound over not to molest Jonas Hamilton of Cotcouth under the penalty of £1000. The peace seems to have been kept between them until John Murray's death, but afterwards in July, 1628, there was further trouble (see p. 33). Two of the Hamiltons, Archibald and William, were in 1625 under the sentence of excommunication.<sup>1</sup>

Sometimes Jonas Hamilton acted as cautioner for others in like cases. He did so in 1609 for Dame Margaret Baillie, Lady Lamington; also for Robert, Earl of Lothian, who was his superior in the lands of Coldcoat, that he would do no harm to Dame Margaret Maxwell, Countess of Lothian. Again in 1624 he became cautioner in 10,000 merks for John Elphinstone of Henderstoun (now Haystoun) that on being freed from prison in Edinburgh he would not leave the burgh without the Council's permission. He was sent to represent Peeblesshire in Parliament in 1627, and he was also employed by the Council in several commissions for the trial of supposed witches, viz. of Katherine Young in Pirn and others in 1629, and John Melros in 1633; he was appointed a justice of the peace for Peeblesshire in 1623 and again in 1634.<sup>2</sup>

In 1637 Jonas Hamilton and his son John disposed for the sum of 12,000 merks, and under reservation of their liferents, Coldcoat, Romanno Grange and Plewlands to Mark Hamilton of Netherurd (brother of Jonas) and his wife, Agnes Stewart. This was ratified by John's wife, Margaret Hamilton, and followed by a Crown charter from King Charles I. to Mark and his wife, dated 24th March, 1638. The charter describes these lands as Coltquoh with the manor place, the 39s. 1d. lands of Romanno Grange lying runrig, and the lands of Romanno Grange and Plewlands with the mill in the barony of Newlands acquired by Jonas Hamilton from the deceased Andrew Ker of Whitfield. The explanation of that transaction is that the lairds of Coldcoat had been running into debt and were being pressed by their creditors. Wilkin Johnston of Halmyre was one, and he and William Porter, merchant burghess of Edinburgh, who was another, took legal steps against them, the latter apprising their estates. This was followed by another apprising by Mark Hamilton, who in 1641 obtained a decree of removing

<sup>1</sup> Session Minute Books.

<sup>2</sup> *Reg. Privy Coun.*

against the Hamiltons, notwithstanding that they had a back-tack of the lands, and in 1643 he had a similar decree against the tenants. Mark Hamilton also bought over in 1644 Potter's apprising.

On 2nd April, 1644, a decree was obtained in the Sheriff Court of Peebles in an action at the instance of Gideon Murray, brother-german of Sir David Murray of Stanhope and heir to the deceased William Murray, his immediate younger brother, against Mark Hamilton of Netherurd, macer of Session, narrating that a contract was entered into at Edinburgh on 12th June, 1641, whereby the said Mark Hamilton wadset to the said William Murray for 6000 merks the lands mentioned in the charter of 1638 above cited, as for the principal lands, with the lands of Whitfield in the regality of Dalkeith and barony of Linton conquered by the said deceased Jonas Hamilton from Andrew Ker of Whitfield, in warrandice thereof; and this contract, it is said, had not been implemented to the said William Murray before he died.

Mark Hamilton was dead prior to 28th April, 1646, on which date his nephew, Archibald Hamilton in Over Horsburgh, eldest living son of the first John Hamilton of Coldcoat (who was killed in 1591), is served as tutor to Alison Hamilton, Mark's daughter and heiress, being her nearest agnate on the father's side, and also heir to his lands in the event of her death. Against him and also against Agnes Stewart, her mother, Alison Hamilton, on 11th March, 1647, brought an action for the delivery of the charters and evidents of her lands as she has now been served heir to her father therein and also to the wadset and sums of money upon the lands of Coldcoat, Grange and Plewlands. She likewise claimed certain furniture in terms of an inventory of the same, and judgment was given in her favour by default. Alison married Mr. William Paterson, one of the regents of the College of Edinburgh, who lived at the foot of the College Wynd there (afterwards Sir William Paterson of Granton, and one of the Clerks of the Privy Council), and to them on 9th September, 1672, her mother, Agnes Stewart, who had married as her second husband James Law in Netherurd and was again a widow, made over her liferent right to the lands of Netherurd. Alison Hamilton and her husband were also on 20th March, 1673, infeft in the lands

of Netherurd in security of an annual rent of £180 due by Archibald Law, writer in Edinburgh.

Jonas Hamilton, the second of Coldcoat, died about 1643. He married Jean Sinclair and had at least three sons, John, who predeceased him in 1640, and of whom presently; Archibald, of whom mention is made as tenant in Lyne; and Robert, who remained in Coldcoat. To both Archibald and Robert on 15th March, 1655, John, Lord Linton, gave a tack of his lands of Scroggs in the parish of Lyne, last possessed by John Russell as tenant.

John Hamilton, younger of Coldcoat, the eldest son of Jonas, was in 1624 nominated by Lord Yester to assist him as a commissioner of justiciary on the Borders, and the nomination was approved by the Lords of the Privy Council; and they in the same year gave to him and some others a mandate to convoke the lieges and apprehend certain persons who were accused of setting fire to the Mill of Henshaw, belonging to Sir William Baillie of Lamington, and of trying to kill him and his father-in-law, Malcolm Crawford. He was made a burgess of Peebles in 1634.<sup>1</sup> Predeceasing his father, as has been mentioned, he left by Margaret Hamilton, his spouse (who was the second daughter of Alexander Hamilton of Easter Binning, and whom he married in 1627), several children, viz. Jonas, Alexander, Mark, Robert and Mary, who, with the exception of Jonas, the eldest son, raised an edict of curatory in 1652, and had appointed to them as their curators Archibald Hamilton in Lyne and Robert Hamilton in Coldcoat, who are designated their nearest relatives on the father's side and were without doubt their paternal uncles. Mary married Alexander Baillie of Callands.

Jonas Hamilton of Coldcoat, the eldest son of John, succeeded on his grandfather's death as laird, and was served heir to his father on 18th January, 1655, on the jury being William Murray of Halmyre, James Murray of Romanno and James Tweedie of Bordland. On 16th February, 1655, Oliver Cromwell granted a charter to him of the lands of Coldcoat with the manor place, also the 39s. 1d. lands of Romanno Grange, runrig, likewise the lands of Romanno Grange and Plewlands with the mill, etc., which lands belonged to the deceased Mark Hamilton of Netherurd, macer, and were resigned by him in favour of the said Jonas on 12th March, 1645.<sup>2</sup> Three

<sup>1</sup> Burgh Court Records.

<sup>2</sup> R.M.S.



months later, on 16th April, he, with consent of his mother, Margaret Hamilton, wadset the Mains of Coldcoat with the manor place

for 5000 merks to Sir Alexander Murray of Blackbarony, Dame Margaret Murray, his spouse, and John Murray, their eldest son. This wadset was redeemed by him on 12th April, 1658, and about the same time he paid a sum of £846 11s., which was due by the deceased Mark Hamilton of Netherurd, and to which John, Earl of Tweeddale, had obtained right by assignation. It looks, however, as if the redemption had not been really effected, and he fell into other pecuniary difficulties, for in 1664 his lands of Coldcoat, west side of Grange and Burnsmiln were appraised from him by James Williamson, burgess of Peebles, for a debt of £917 16s. 4d., and in 1665 Alexander Baillie of Callands, elder, and Patrick Nicoll, merchant, Edinburgh, appraised the same lands for debts of £8,916 13s. 4d. Alexander Baillie obtained a Crown charter of the lands on 5th May, 1665.

Margaret Hamilton, mother of Jonas, was infeft in the lands of Coldcoat on 13th July, 1664, in terms of a bond by Jonas to her, dated 7th December, 1657, to which her two sons, Robert and Alexander Hamilton, were witnesses. In the taking of sasine, Alexander acts as attorney for his mother and Robert is a witness, as also is Thomas Wardlaw, indweller in Coldcoat. On 9th August of the same year, 1664, Janet Bothwell, lawful daughter of the deceased Mr. Adam Bothwell and now spouse of Jonas Hamilton of Coldcoat, to whom she had been married with consent of her uncle, Alexander Bothwell of Glencorse, was infeft in liferent in the lands of Coldcoat and the 39s. 1d. lands of Romanno Grange.

In 1674, Jonas Hamilton is in monetary difficulties, and makes over to Mark Hamilton, surgeon in Prestonpans, his brother, his lands of Coldcoat, west side of Grange and Burnsmiln.<sup>1</sup> Jonas Hamilton was a contemporary of Dr. Pennecuik, who found him a boon companion, and eulogises him in some of his poems. He inscribes an elegy upon his supposed death in which he begins :

“ Kynd Cowie our delight, our only one,  
The best of comrades, is dead and gone.

His converse so to every man endear'd him,  
And women for his natural parts admir'd him.  
He was conspicuous for a comely grace,  
A royal nose on a Moletto <sup>2</sup> face.  
Though in his youth as fame most loudly speaks,  
Both Lancaster and York shin'd in his cheeks,

<sup>1</sup> R.M.S.

<sup>2</sup> i.e. mulatto, swarthy.



Pure red and white, but that the sun of new,  
 Dy'd bonny Jonas of the Gipsie hew.  
 His hair at twenty were like threeds of gold,  
 At thirty black, like snow when he grew old.  
 Valient he was, at Worcester fight and town,  
 Where with much bravery he threw severals down,  
 Who were not slain but pleased with his pranks,  
 Rose up again and gave kind Cowie thanks."  
 O Nature reconcil him if you can,  
 A debauchie and yet a sober man.  
 Riches he scorn'd, yet knew not what was want,  
 A bauldie sinner, yet a harmeless saint.  
 Drink, swear and kiss he coud, yea pious be,  
 And Proteus-like suit well all company "

He also wrote an inscription in verse to be placed at the foot of his picture in similar terms. There is no evidence that Jonas Hamilton left issue nor yet does it appear when he died; but he was still alive on 8th February, 1705, when, as Jonas Hamilton of Coldcoat, and liferenter of Burnsmiln, he granted a tack of that mill for three years to Robert Henderson, miller in Romanno Mill, but reserving the house there in which he himself lived.<sup>1</sup>

Alexander Hamilton (a cousin of Jonas), son of Robert Hamilton of Grange, who was a son of the first Jonas, and also a macer of Session, was the next laird of Coldcoat.

He acquired his title to the lands by several deeds. We have seen that Mark Hamilton of Netherurd had a charter of the property in 1638. This was on a mortgage, and an apprising followed in 1641. To this apprising his daughter Alison succeeded, and she in 1680, with consent of her husband, Sir William Paterson, conveyed her right to Alexander Hamilton. In the same year Mark Hamilton, surgeon in Prestonpans (brother of the last Jonas), made over to Alexander Hamilton an apprising in 1663 by James Williamson, burgess of Peebles, which had been acquired by Mark in 1672. Also in 1680 Mark, along with his brothers Alexander and Robert, conveyed to Alexander Hamilton all their rights under a bond for 5000 merks which Jonas in 1655 had granted for behoof of his mother and her children, other than himself, viz.: Alexander, Robert, Mark and Mary. This Mary, who married Alexander Baillie, younger of Callands, in addition to her own share under the bond, which was 2000 merks, received in 1663 the shares of her brothers Alexander and Mark, which were 1000 merks each. The Baillies also acquired right to another bond for 3000 merks, which

<sup>1</sup> Sheriff Court Books.

Jonas had granted in 1655. Alexander Baillie, the elder, had also appraised the lands in 1655, and in 1681 he, with consent of his son and the latter's wife Mary, granted a disposition to Alexander Hamilton on 21st April, 1681, who obtained a Crown charter dated 8th July, on which he was infeft ten days later.

In October, 1685, Alexander Hamilton produced as his title to vote among the freeholders of the shire this Crown charter, in which the *reddendo* is given as £4 13s. 4d. for Coldcoat, 53s. 4d. for the 39s. 1d. lands of Romanno Grange, and £27 3s. with 12 hens and 2 poults for Plewland and Romanno Grange. The title which he had was still burdened with the apprising of Patrick Nicoll in 1666. In 1679 the holders of this apprising, William Brown of Stevenston, and Henry Brown, writer, Edinburgh, sold it to David Plenderleith of Blyth, who in 1681 conveyed it to John Ballantyne, merchant, Edinburgh. Alexander Hamilton acquired this apprising the following year. On 22nd August, 1690, with consent of Margaret Lands, his spouse, he borrowed 4000 merks from James Williamson of Cardrona of which the interest was 160 merks yearly, and for which he pledged in security his lands of Coldcoat and part of the adjacent land of Grange with the mill. He also became indebted to David Callender, writer in Edinburgh, to James Law, schoolmaster and precenter at the kirk of Lasswade, to Sir John Clerk of Penicuik, and along with his father, Robert Hamilton, to James Williamson of Bridgelands.

Alexander Hamilton died between March and August, 1697, as on 10th March he witnessed at East Grange a tack by his father, and on 3rd August, Margaret Lands, his widow, raised an action against William Douglas in Coldcoat, Archibald Paton in Burnsmiln, William Hislop and John Hunter, tenants of the west side of Grange, and Elizabeth and Margaret Hamilton, as the daughters and heirs of her late husband, for the payment of her liferent of 1200 merks in terms of her contract of marriage, which was dated 21st April, 1680, and in security of which she had been infeft on 18th July, 1681, in the east half of Romanno Grange, the half of the 39s. 1d. lands of Grange and the muir called the Cairntow Muir, with warrandice over the lands of Coldcoat, the west side of Grange and Burnsmiln. But her late husband's parents, Robert Hamilton and Elizabeth Douglas, had a prior claim on the principal lands which obliged her to have recourse to her warrandice lands, and the tenants of them refused to pay their rents to her unless compelled. She obtained decree against them.

Alexander Hamilton left two daughters, Margaret and Elizabeth, who were in 1688, 1699, and 1700 charged at the instance of creditors to enter as heirs to their father and pay his debts, but they renounced; yet on 23rd April, 1701, both were served as his heirs portioners in the lands of Coldcoat, Romanno Grange and Plewlands.<sup>1</sup>

Dr. Pennecuik notes that the mansion-house of Coldcoat was repaired by Alexander Hamilton, and his commentator,

<sup>1</sup> Services of Heirs.



MACBIEHILL



MACBIEHILL COLLIERY



Mr. Brown, adds that in so doing he contrived that there should be exactly fifteen sleeping places in the house, so that he might have it in his power to accommodate the whole of the fifteen judges of the Court of Session without the necessity of putting two in one bed, and that he made the chamber for the President twice the size of the others. He is said to have been the last of the Hamiltons in Coldcoat, but, as formerly mentioned, Jonas was still alive in 1705.

#### MONTGOMERY OF COLDCOAT, OR MACBIEHILL

Coldcoat was acquired from the creditors of Alexander Hamilton by William Montgomery of the family of Lainshaw in the parish of Stewarton, Ayrshire, where there had been a family of Montgomery of Magbiehill for several generations, and the new proprietor of Coldcoat transferred this name, which later became Macbiehill, to his new possession. When he entered to the lands is not clear, but on 3rd May, 1706, he was designed as "of Macbiehill" when he witnessed a marriage contract at Persielands.<sup>1</sup> He died in or about 1712,<sup>2</sup> and on 9th August of that year his son, Mr. William Montgomery of Macbiehill, advocate, was served as his heir, and at the close of the following year had a disposition of the lands from each of the two daughters and heiresses of the deceased Alexander Hamilton of Coldcoat: from Elizabeth, with consent of her husband, Malcolm Gregory, advocate, on 20th November, and on 22nd December, from Margaret, with consent of her husband, Justice Meldrum, writer in Edinburgh, and also with consent of Jonas Hamilton, designed "late of Coldcoat."

Mr. William Montgomery was appointed sheriff-depute of Peeblesshire in 1721 by William, Earl of March, the sheriff principal, for whom he also acted as factor for a time.<sup>3</sup>

<sup>1</sup> Hartree Muniments.

<sup>2</sup> He left a widow, Margaret Pow, who on 12th November, 1719, was served heir to her sister Barbara, wife of James Knible in Edinburgh, and died in the following year, her executors being her brother, Mr. John Pow, minister at Coldstream, and another sister, Rebecca, widow of George Hume of Abbey in Berwickshire (Services of Heirs and Edinburgh Testaments).

<sup>3</sup> Sheriff Court Books.



In 1726 he acquired the lands of Upper and Nether Whitfield in the parish of West Linton from William Drummond of Hawthornden, and in 1759 he purchased from the assignee of Alexander Leishman the lands of Plewlands with the piece of land called Templedale, which lie adjacent to Macbiehill on the south. A few years later, in 1766, he took measures to consolidate the superiority of his lands in Newlands with the property, and mention is made of his interest in the affairs of the parish as in the erection of a school, which he wished to be at Lamancha, and the building of a new manse.<sup>1</sup> Mr. William Montgomery, says Dr. Chambers, married Barbara, daughter of Robert Rutherford of Bowland, and died in 1768 at the age of eighty-six, his body being buried in a mausoleum on the estate.<sup>2</sup> He left two sons, both of whom attained distinction, William, who succeeded him in Macbiehill, and James, who falls to be noticed in connection with Whim, Stobo and Stanhope, which estates he purchased.

William, afterwards Sir William Montgomery, the elder son, who with his brother had received his rudimentary education at Linton parish school, had in his father's lifetime gone to Ireland and become a contractor for the army, supplying it with clothing and other equipment. Entering political life he rose to be a member of the Irish parliament, and so distinguished himself by his services that a baronetcy of the United Kingdom was conferred upon him on 28th April, 1774. In 1786,<sup>3</sup> after he became laird of Macbiehill, he redeemed a wadset of 10,000 merks over Coldcoat and Burnsmiln contracted by his father to John Chancellor of Shieldhill, but there is mention of another for £600 over Coldcoat and the Marchmill in Newlands and Whitfield in Linton to James M'Crae M'Guire of Houston in 1753, which was still unredeemed in 1787. His life interests being in Ireland he continued to reside there, and died in Dublin on 25th December, 1788.<sup>4</sup> He was twice

<sup>1</sup> Session Minutes.

<sup>2</sup> It also contains the remains of his grandson, Sir George, and the son of his grand-daughter, the Rev. John Isaac Beresford.

<sup>3</sup> Register of Sasines.

<sup>4</sup> Edinburgh Testaments.

married, and had by his first wife a son who became an officer in the army and died of wounds received in America; and by his second wife, besides three daughters,<sup>1</sup> he had two sons, George and Robert. The latter was in the army and became Lieutenant-Colonel of the 9th Regiment of Foot, with distinguished services in Egypt and elsewhere, and at last lost his life in a duel in April, 1803, at the hands of Captain Macnamara, R.N., over a fight in Hyde Park between their two Newfoundland dogs.

Sir George Montgomery, the elder son, was served heir to his father in October, 1789, and in the same year had a Crown charter of his lands, which were : Colquhat, now called Macbiehill ; the mill of Grange, now called Burnsmiln ; and Plewlands, with the piece of land called Templedale in the parish of Newlands ; and Whitfield in the parish of Linton. He also served himself heir to his grandfather, William Montgomery of Macbiehill, advocate. In his time, in 1813, an excambion was effected between him and Mrs. Marianne Lockhart, wife of William Elliot Lockhart of Cleghorn, of some land of the commonity of Linton and Broomlee. He died in 1831 without leaving issue, and the baronetcy became extinct.

#### BERESFORD OF MACBIEHILL

The succession to the estate then devolved upon his nephew, John Isaac Beresford, the son of his sister Amelia or Emily, the third daughter of the second marriage of his father. She married in 1795 the Rev. Charles Cobbe Beresford, sometime of the city of Dublin, and afterwards at Fermon Glebe, Co. Tyrone, Ireland. This nephew

<sup>1</sup> One of these daughters, Elizabeth, married Luke Gardiner, Viscount Mountjoy, and had a son, Charles John, who was created Earl of Blessington, whose Countess, Margaret Power, the widow of Captain Farmer, says Dr. Chambers "dazzled the world of fashion with her beauty, her fascinating manners and her varied accomplishments," her mansion in St. James's Square being the resort of the élite of London celebrities. She was "the lady who drew verses from Byron, wrote the *Idler in Italy* and closed her career in England as the heroine of Gore House." Another daughter, Anne, married as his second wife, George, fourth Marquis of Townshend, and their daughter, Charlotte, became Duchess of Leeds.

was also a clergyman of the Church of Ireland, and during his lairdship of Macbiehill he added to the estate in 1846 the lands of Bogend, which he purchased from the Veitches of Elliock. He died on 9th February, 1847, and was succeeded by his son, Captain George Robert Beresford of the 88th foot, member of the Legion of Honour. He was born in 1830, and served heir to his father on 16th December, 1851. Having no children, he executed in 1854 a trust disposition in favour of his sister, Emily Sarah Beresford, wife of the Rev. John Maunsell Beresford Massey, of St. Huberts, Lisnakee, Co. Fermanagh, Ireland, Dean of Lismore, and died in 1870. Mrs. Beresford of Macbiehill was still alive in 1894, when her property in Newlands is given as Macbiehill, Noblehouse, Bogend, Whitmure, Dodhead, Righead, Sunnyside, and Bents Lime-quarry.

#### THE PRESENT PROPRIETORS

Her son, John George Beresford Massey, sold the estate in 1900 to David Hunter of Blackness in Forfarshire for £36,100. His trustees in 1924 disposed of the mansion-house, the home farm and some other small portions of the estate, 1038 acres altogether, to James Paterson Waldie of Priorwood, Polton, Midlothian, at the price of £15,000, and this part now belongs to William Dobson (rental, £614 13s. 2d.). The remainder of the estate lying in the parish, consisting mainly of the farms of Noblehouse and Whitmuir, is still the property of Mr. Hunter's trustees (rental, £491 9s.).

#### BOGEND

##### (PART OF MACBIEHILL)

Down below the Plewland upon the Dead Burn is the Bogend, says Dr. Pennecuik. In the early half of the sixteenth century it belonged to the Fawsydes of that Ilk. On 28th February, 1534-5, King James V. confirmed a charter by John Fawsyde, son and heir of George Fawsyde of that Ilk, whereby with his father's consent he sold the lands of Bogend to Mr. Richard Bothuele, rector of Askirk, a canon of the Church of Glasgow and apostolic pronotary, Fawsyde obtaining letters of regress thereupon on 23rd April thereafter. In a later

charter Queen Mary on 14th October, 1554, for good services rendered by Thomas Fawsyde of that Ilk, confirmed the lands of Bogend with others to him and Margaret Heriot, his spouse, he having made resignation of the same for that purpose. Still another royal confirmation was granted on 27th November, 1609, by King James VI. of a charter by Mr. Robert Fawsyde of that Ilk to James Fawsyde, his son and heir by Marion Maitland, his wife, dated 20th September, 1605, on the occasion of the marriage of James to Janet Lawson<sup>1</sup> (eldest daughter of the deceased James Lawson of Humble by Lady Elizabeth Belenden), whereby Janet got the lands of Bogend as part of her liferent portion. In 1638 John Fawsyde of that Ilk was served heir in Bogend to Mr. Robert Fawsyde of that Ilk, his grandfather, on the jury being James Murray of Romanno and Robert Tweedie of Bordland.

In 1662 Mr. Thomas Burnet, M.D., son of Mr. Thomas Burnet of Crimond, in Aberdeenshire, Senator of the College of Justice, was served heir in the lands of Bogend and Scotstoun, and also in the lands of Carlops.

In 1678 there is a William Winlo in Bogend; and from this time, until at least 1712, the lands were the property of the Browns of Scotstoun. At a meeting of the freeholders in 1685, John Broun produced his title in the form of a Decree of Declarator by the Court of Session, dated 30th July, 1679, that his lands of Bogend were held of the Crown for ward and relief, and he also produced an assignation of the whole duties thereof granted by Sir William Purves, H.M. Solicitor, to David Plenderleith, writer in Edinburgh. At a later date his son James, on similar occasions in 1710 and 1712, was able to show a Crown charter of the lands in his favour granted on 5th June, 1701. James Brown sold Bogend (along with Scotstoun) in 1724 to Robert Geddes.<sup>2</sup>

On 6th October, 1727, Robert Geddes of Scotstoun disposed Bogend to William Veitch, W.S., who obtained a Crown charter thereupon, and died on 25th October, 1747. He was succeeded by his son, Mr. James Veitch of Elliock, a Lord of Session.

James Veitch of Elliock entailed the lands in 1790, and was succeeded by Lieut.-Colonel Henry Veitch of the 98th Foot, who was served as heir of tailzie and provision on 13th October, 1796; a Crown charter to him following on 3rd February, 1797. He resigned the lands in 1820 for a regrant to himself in liferent and James Veitch, his eldest son, in fee, upon which another Crown charter followed on 3rd February, 1820, and both executed a trust disposition for behoof

<sup>1</sup> There were Lawsons in Bogend in 1590.

<sup>2</sup> Andrew Marshall was tenant in Bogend in 1683, and in 1701 made his will in favour of his wife Margaret Melrose, in liferent, and his children. On 4th March of that year, he gave her possession: "a meir by the ear as a cymboll of his wholl horses, ane hog by the horn as a cymboll of his wholl sheep, ane handfull of oats and ane other handfull of beir as a cymboll of his wholl corns, ane stirk by the horn as a cymboll of his wholl nolt, and ane tin pynte stoupe as a cymboll of his wholl household plenishing" (Chapelgill Papers).



of their creditors on 10th October, 1837. After his father's death, the lands were sold by roup by James Veitch and the surviving trustee (under orders from the Court) to the Rev. John Isaac Beresford of Macbiehill on 7th October, 1846.

### NOBLEHOUSE

#### (PART OF MACBIEHILL)

The farm of Noblehouse evidently derived its name from its connection with persons of the name of Noble, of which name there were always some in the parish. It is situated on the main road from Edinburgh to Moffat and Dumfries, and was for some time a prominent stage inn for travellers making that journey. It formed a pendicle of the estate of Coldcoat or Macbiehill over against the western entrance of which it stands. It is mentioned in the County records as early as 1636, when John Henderson there was fined for an assault upon Thomas Tweedie, who was also fined for a similar attack upon John Law in Plewland. Again, in 1688 Alexander Porteous there was accused of riot and assault, and in 1703 James Wilson in Noblehouse obtained decree against Richard Paterson in Bogend for £12. In 1713 it was in the possession of Alexander Baillie of Callands, who then gave a tack to John M'Millan, of the Noblehouse with four croft rigs at the back thereof and a yard belonging thereto for a cow or five sheep, and half a boll of oats for a period of nine years at a rent of £30. In 1768, Alexander Donaldson was tenant, and after that George Dalziel, who had previously been an innkeeper in West Linton, became landlord at Noblehouse Inn, and the Rev. Charles Findlater observes of him that he was the first farmer to sow turnips in the open field, and he believes also that he was the first farmer to cultivate potatoes on a large scale with the plough. His son, Alexander Dalziel, became factor to Lord Glencairn, and was the means of introducing his father's system of turnip culture into Ayrshire. Dalziel was succeeded in the inn by William, his son, who was innkeeper there in 1789, and to whom his son Alexander was served heir on 31st August, 1818. George Williamson seems to have been the next landlord, and on leaving the parish in 1848 he made a present of his hearse for the use of the parishioners.<sup>1</sup>

### PLEWLANDS

#### (PART OF MACBIEHILL)

Plewlands is a small farm on the Dead Burn to the west of Macbiehill, and is the ploughgate of land mentioned formerly as gifted about 1164 by Philip de Vermel to the monks of Holyrood. Hence its name. But although the beginning of the possessions of the Church in the parish, it became latterly a mere pendicle of the Coldcoat estate. In 1609 Robert, Earl of Lothian, was served heir therein to his father,

<sup>1</sup> Session Minutes.



Earl Mark, as coming in the place of the Abbots of Newbattle, and in his Crown charters of 1620 and 1621 Plewlands is included with others in Newlands, but that was only the superiority. The property was at that time with the lairds of Coldcoat, having been acquired in 1598 from Andrew Ker of Whitfield, and in 1627 Jonas Hamilton of Coldcoat made over Plewlands to his son John and his future spouse, Margaret Hamilton, as part of their jointure lands, and he and his said son disposed the teinds of the lands in 1635 to John, Earl of Traquair. In 1636 John Law was tenant, and in the following year Plewlands was included in the wadset of the Coldcoat lands to Jonas's brother Mark. It was also involved in an apprising against them in 1641 by William Potter, merchant in Edinburgh, but Potter disposed of his right thereto to the said Mark Hamilton in 1644.

In 1665 Plewlands passed into the hands of Alexander Baillie of Callands (whose son Alexander had married Mary Hamilton, the daughter of John Hamilton, younger of Coldcoat), in security for debt which was partly connected with the bride's tocher. The lands were disposed to him by Sir Alexander Murray of Blackbarony on 1st April, and included the piece of land called the Templedale, together with the lands of Whitfield and Coldcoat in warrandice. After that the Baillies preferred to live at Plewlands rather than at Callands, and made it their residence during the time it remained in their possession. They had a charter of the lands from the Crown, which was produced at a meeting of the freeholders in 1678, in support of a claim to a vote. At another meeting in 1685 for the like purpose, Alexander Hamilton of Coldcoat produced a Crown charter to himself in 1681, which also included Plewlands, he having acquired Mark Hamilton's wadset right from the latter's daughter and heiress. Again, in 1710, at another similar meeting, Alexander Baillie, younger of Callands, exhibited his father's sasine of Plewlands following upon a disposition thereof by the Marquis of Tweeddale. Alexander the elder died in 1715, and Alexander the younger was served heir to him in 1721, in the lands of Plewland and Templedale; and when he died in or about 1738, his three daughters, Mary, Barbara and Rachel, were served as heirs portioners to him. All three were married, the husband of Barbara being James Leishman, who was apparently then living in Plewlands, and to him the other two sisters and their husbands made over their shares of the property on 16th August, 1738. As James Leishman of Plewlands he granted a bond in 1748 to George Brown of Harehope, and he was a concurring party in 1755 to the call to Mr. David Dickson to be minister of Newlands parish. His son,<sup>1</sup> Alexander Leishman, was served heir to him on 12th July, 1756, and in the following year he sold Plewlands to George Hepburn, writer in Edinburgh, acting for William Montgomery, the laird of Macbiehill, for to him on 4th

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<sup>1</sup> James Leishman seems to have had at least two other children, Veronica, and James, whose edict was intimated at Eddleston Kirk on 11th June, 1814, as having died in the preceding February at Harehopeburn (Burgh Papers).

April, 1759, Hepburn transferred the lands. And thus Plewlands was re-united to Coldcoat.

### BURNSMILN

#### (PART OF MACBIEHILL)

On the Dead Burn to the east of Macbiehill stood an old mill, called Burnsmylne,<sup>1</sup> above which, in Dr. Pennecuik's day, rose a little old tower house. Any notices of Burnsmiln are chiefly found in the Sheriff Court Books. The proprietor in 1672 was Jonas Hamilton of Coldcoat, and on 19th April of that year he granted a tack of the mill and mill lands of Burnsmiln, then tenanted by Robert Clough, with eight souns of grass on the west side of Grange to William Veitch in Deanes for nine years. The next tenant mentioned is Archibald Paton, who was already miller of Burnsmiln when on 18th April, 1687, he received from Alexander Hamilton of Coldcoat a tack of the mill as then possessed by himself. Archibald Paton continued as tenant until Whitsunday, 1703, and was sued in the following August for nearly £70 of arrears of rent by Elizabeth and Margaret Hamilton, the daughters of Alexander Hamilton of Coldcoat, and Margaret Lands, their mother. Archibald Paton, who was an elder in the church, had at least three sons: Thomas, who was in Gleddesmyln in 1699; Robert, who seems to have been conjoined with his father in Burnsmiln when in 1697 James Lauder in Bogend was decerned to pay to him 53s. for meal; and Stephen, who with his brother Robert and several others was fined on 9th October, 1691, for shooting hares. About two years later Stephen made application to the Presbytery of Peebles for assistance to study for the ministry, and, having obtained a presbyterial bursary, he proceeded to the University of Edinburgh and graduated M.A. in 1697. He became minister of the parish of Newlands in 1708, and continued there until his death in 1755, at the age of 87. He was twice married, first to Margaret Doeg in 1710, and by her had two daughters, Christian, who married the Rev. Alexander Robertson, minister of Eddleston, and Mary, who died at the age of six years. The former is said to have planted in 1718 the maple tree which still flourishes on the lawn in front of the manse. His second wife was Jean Sibbald.

On 8th November, 1705, Robert Henderson in Romanno Mill received a tack of Burnsmiln for three years from Jonas Hamilton of Coldcoat, who in the deed styles himself liferenter of the said mill, and reserves to himself the high house there in which he himself resides. This was evidently the tower house of which Dr. Pennecuik makes mention. On 17th October, 1721, Alexander Baillie of Callands was served heir of line to his father in the said mill and other lands, and it thereafter became part again of the Macbiehill estate.

<sup>1</sup>The name may be derived from Thomas Burne, who was tenant there in 1590.

## LAMANCHA OR ROMANNO GRANGE

A grange is a residential appanage of an ecclesiastical establishment, and the Grange of Romanno was apparently used for such a purpose by the monks of Newbattle who owned it. As formerly noted they had a grant thereof in 1203, which was confirmed by the Papal See. It remained in their personal possession until the eve of the Reformation, when the King and Parliament required that Church lands should be feued out for cultivation, and on 11th August, 1547, James, Abbot of Newbattle, granted a feu charter of the 39s. 1d. lands of Romanno Grange to James Hoppringle, indweller in Leith, and Margaret Anderson, his spouse, and their lawful heirs male, whom failing, Agnes Hoppringle, their lawful daughter, and the heirs male of her body, whom failing to Archibald Hoppringle, brother german of the said James, and the heirs male of his body.<sup>1</sup> Infestment was taken on the following day, witnesses to which were John Wynlaw, John Burn, younger, John Harlawbanks, John Bennet and Thomas Softlaw, all in Romanno Grange. This James Hoppringle was a former occupant. Two years later the Abbot granted him a license to sell the lands to any person on honourable conditions, and on the following day, 11th December, 1549, he made them over to Mr. John Bellenden of Auchnoule, Lord Justice Clerk, and Margaret Scott, his spouse, his charter thereof being duly confirmed by the Abbot and his convent, and sasine therein was taken for them on 1st March, 1565-6, by John Hamilton of Coldcoat as their attorney, the witnesses being Cuthbert Bennet, James Rouch, John Edmond and John Softlaw, all in Romanno Grange. Six months later John Hamilton of Coldcoat was in possession of the lands on a charter from Sir John Bellenden, dated 21st September, 1566, which was confirmed by Mark, Commendator of Newbattle, on 20th July, 1573, and the same Commendator on 10th December, 1591, issued a precept of *clare constat* for the infestment of Jonas Hamilton, eldest son of the foresaid John, as his father's

<sup>1</sup> Romanno Inventory.

heir, which took place on the next day, witnesses being William Hamilton, brother of the said John; Thomas Burne, miller at Grange Mill; and Thomas Wynlaw there.

There was, however, another portion of Romanno Grange in the hands of Andrew Ker of Whitfield<sup>1</sup> which along with the lands of Plewland was acquired from him on 10th July, 1598, by Jonas Hamilton, and which were to be held of Mark, Lord of Newbattle, for the yearly payment of £27 3s.

#### HAMILTON OF GRANGE

The whole lands of Grange were now in the possession of the laird of Coldcoat, and transactions concerning them are mixed up with his other lands, but so far as the lands of Grange are separately dealt with, they may be noticed here. The two parts of Grange are sometimes referred to as the West side of Grange and the East side, the former being identical with the part associated with Plewland, and which are said to lie "rinrig," and the latter with the 39s. 1d. lands.

On the occasion of his eldest son's marriage, Jonas Hamilton of Coldcoat gave the lands of Romanno Grange and Plewlands to be the terce of his wife.

In 1623 mention is made of Thomas Somerville, portioner of Grange, as a witness at Woodhouse.<sup>2</sup> In 1637 Thomas Hope in Grange was sued by James Brown of Stevenston for £135 6s. 8d. as the rent of the lands of Stevenston, which were then tenanted by him,<sup>3</sup> and in this year the lands of Romanno Grange were included, by Jonas Hamilton and his son, John, in the wadset of his other lands, to Mark Hamilton of Netherurd, also macer in the Court of Session, and who was a brother of Jonas (see p. 43). The lands were also mortgaged to other creditors. An eighth part of the lands with the stone house thereon was disposed in wadset at Linton on 19th May, 1659, by Jonas Hamilton to James Hay, then in Lochurd, and John Hay, his eldest son, for 1000 merks. In 1662 Jonas Hamilton and his wife, Jean Bothwell, made over to Robert Hamilton, his uncle, also a macer of the Court of Session, the lands of the East side, and the half of the West side of Romanno Grange, with the moor called Cairntowmuir, and in the following year they disposed to him in security of 3000

<sup>1</sup> Mention is made in March, 1593, of Andrew Ker of Romanno Grange and his wife, Isobella Whitelaw (*R.M.S.*), who was one of the three daughters and heiresses of Patrick Whitelaw of that Ilk, in Haddingtonshire, and also a proprietor in the neighbouring parish of Eddleston. He would probably be the same Andrew.

<sup>2</sup> *Part. Reg. Sas.*

<sup>3</sup> *Sheriff Court Books.*



merks three rigs of the lands of Romanno Grange and others. Crown charters of confirmation followed.

Robert Hamilton then practically became the laird of Grange, though in August of 1664 Jonas Hamilton put his wife, Jean Bothwell, in possession of the 39s. 1d. lands of Romanno Grange as part of her terce, and in 1666 granted the lands of the West side of Grange to Alexander Baillie of Callands in warrandice of the lands of Plewlands. Jonas Hamilton had also a charter of Plewlands and Romanno Grange on 8th July, 1671, being the 39s. 1d. land, for which the reddendo is given as 53s. 4d., and the tack duty then payable yearly towards the minister's stipend was 200 merks, according to the schedule in the time of Archibald, Lord Rutherford. On 26th February, 1673, he made a further disposition to Robert Hamilton, his uncle, of that part of the West side of Grange called the Shoolbroads. There had been many apprisings against the lands by the creditors of Jonas Hamilton and his father and grandfather, and the majority of these were bought up by Robert Hamilton and his son Alexander.<sup>1</sup>

On 22nd March, 1678, Alexander Hamilton in Grange was charged with deforcing a sheriff officer while engaged in pointing goods on a decree obtained by William Winlo in Bogend and was fined in absence. On 1st April of the same year Robert Hamilton of Grange, macer, subscribed the bond for abstaining from conventicles. Mention is made in 1680 of Robert Hamilton in East Grange, when James Henderson in Hallsknow is ordained to pay to him £46 of arrears of rent, and on 9th May, 1682, an accusation of blood and riot was made against him by William Scott, a servitor to Alexander Baillie of Callands. The complaint was that on 2nd May, Robert Hamilton accused Scott of riding through his corn, and then beat him over the head and back with a stick to the effusion of his blood. Scott called two witnesses, John Kilgour, aged twenty, a servant to Dr. Pennecuik, who was in his company at the time and saw the assault, and William Thomson, aged twenty-six, who deponed he did not see Scott ride through the corn, but heard him accused of doing so, and saw him beaten. On 30th May, Grange produced two witnesses also, John "Gilgour," a young married man of twenty (the same as above) who deponed he heard Scott say before Grange beat him, "Dryve on the horse and comprise the skaith when I am away," and Robert Hamilton, a married man of forty-five, who deponed that he did not hear Scott say anything, but was told what he heard John "Gilgour" say after he came home as already deponed. Grange was found guilty of riot.<sup>2</sup>

<sup>1</sup> The following persons are mentioned as being in Grange about this time: John and Alexander Johnstone in 1657 and 1664, Alexander Bartrum, John Lawson and James Henderson and his son John in 1663, James Henderson again in 1679, Janet Crawford, widow of Robert Cleugh there in 1674, Thomas Traquair and James Merk in 1676, and in 1679 Janet Thomson, spouse of John Johnston, and Marion Whyte, spouse of James Merk, were fined and put under caution for a breach of the peace and were also to satisfy the Kirk (Sheriff Court Books).

<sup>2</sup> *Ibid.*



There is on record a bond dated at East Grange on 7th October, 1690, by Robert Hamilton, with Alexander his son as cautioner, in which he mortgaged to James Williamson, portioner of Bridgelands, for £1000 the half of his east side of Romanno Grange with the half of the mill thereof, one witness being Robert Hamilton, "neice" (*i.e.* grandson or nephew) of the said Robert; and there is a prior bond dated at Edinburgh, 22nd August, 1690, in which Alexander Hamilton (son of Robert), with consent of his wife, Margaret Lands, wadset to James Williamson of Cardrona for 4000 merks his lands of Coldcoat, and that part of the lands of Grange adjacent thereto, and the lands of Grange called Romanno Grange. The Williamsons took sasine on 18th October. There was another bond for 1800 merks to David Callendar, writer in Edinburgh, and Isabel Calderwood, his wife, for security of which they were infest on 3rd April, 1691, in Romanno Grange. On 30th June, 1692, Robert Hamilton is cautioner for his son Alexander in a bond for 350 merks to James Law, precentor and schoolmaster at the Kirk of Lasswade, for payment of which he was sued in 1698 by Elizabeth Galloway, the schoolmaster's widow. He also granted a bond on 12th April, 1697, for £30 Scots to James Williamson of Cardrona.

Alexander Hamilton of Coldcoat, the son of Robert, died prior to 3rd August, 1697, on which date his widow, Margaret Lands, raised an action to secure her liferent provision under her marriage contract (see p. 48). One of the creditors, David Callander, also took action in 1698, under his bond, and obtained decree of adjudication. In the same year, Robert Hamilton, who died about 1700, granted a bond to Sir John Clerk of Penicuik. In 1700 Callander, acting on his decree, conveyed the lands to Thomas Aikman, W.S., who also had a conveyance from Sir John Clerk and the other creditors interested.

In 1703 Thomas Aikman, his title being complete, sold Grange for 17,750 merks to Sir John Clerk, who sold it in 1711 to Sir James Stewart of Goodtrees, who in turn, in 1726, sold it to Major Thomas Cochrane, the seventh son of William Cochrane of Ochiltree, who was the eldest son of Sir John Cochrane, second son of William, first Earl of Dundonald.

Major Thomas Cochrane of Grange, as he was now called, after a successful career in the army had been elected M.P. for Renfrewshire in 1722, and appointed one of the commissioners of Excise for Scotland in 1730. He married his cousin, Elizabeth, daughter of James Ker of Morriston

in Berwickshire, and by her had a son William, who died young, and a daughter Grizel, who died unmarried. She died in 1743, and he married as his second wife Jean, daughter of Archibald Stuart of Torrance, W.S., and had by her twelve children, of whom the births of two, John

COCHRANE OF GRANGE, EARL OF DUNDONALD



ARMS.—Quarterly, 1st and 4th Argent, a chevron Gules between 3 boars' heads, erased Azure, armed and langued of the second for Cochrane; 2nd and 3rd Argent on a saltire sable, 9 lozenges of the field for Blair.

CREST.—A horse passant Argent.

SUPPORTERS.—Two greyhounds, Argent, collared and lined Or.

MOTTO.—*Virtute et labore.*

Hyndford on 22nd June, 1750, and James Athol<sup>1</sup> on 10th October, 1751, and also the burial of one not named, are recorded in the Session Records. In 1743 Major Cochrane of Grange sold part of the estate—Blaircochrane and the lands now known as Whim—to Archibald, Earl of Ilay, and ten years later had a sasine of the rest of the lands to himself and his wife.<sup>2</sup> Before or about 1756 he changed

<sup>1</sup> He became vicar of Mansfield, Co. Nottingham.

<sup>2</sup> *Gen. Reg. Sas.*

the name of his estate from Romanno Grange to Lamancha, for what reason does not appear unless it be that the lands were in the region of the Whim, or that a whimsical rivalry sprang up between him and his neighbouring proprietor. But Lamancha and Whim the two properties have since remained. In 1758 he succeeded as eighth Earl of Dundonald, but notwithstanding he continued still to reside at Lamancha until his death there on 27th June, 1778.

The mansion-house at Lamancha is said to have been built by Robert Hamilton in 1663 (perhaps it was the stone house above referred to in 1659) near a water spring called the Lady's Well, and it is also said that it was considerably enlarged by the Earl, who wainscotted the apartments and erected an inside staircase of mahogany which was then and still is an object of curiosity. Over the entrance to the house he placed a carved stone bearing the Cochrane crest, with the date 1736. On his own resignation, he received a Crown charter of the lands to himself and his wife in 1766, and in 1769 he made an excambion of some pieces of land with the laird of Whim in connection with the straightening of the marches and the plantations on their estates. On 1st December, 1774, he borrowed £500 sterling from Barbara Ker, widow of Dr. Alexander Scott of Thirlstane, and made over to her in security his lands of Grange, viz., Easter and Wester Grange with the Mains of Easter Grange, Shoolbroads, Blairlee, Hallknow, Over Grange, Riddenlees and Faddonrigg, and, as her heirs, the children of William Ker of Chatto were infeft therein in 1785.

After the Earl's death, Lamancha was advertised in the Edinburgh papers in 1789 for sale at the price of £6475, and it was stated that only about one-tenth of the estate was under cultivation. It was sold on 5th July, 1790,<sup>1</sup> by the Earl's trustees to Captain Sir Alexander Forrester

<sup>1</sup> The lands are then referred to as the lands of Grange, called Romanno Grange, which lie contiguous with the lands of Coldcoat, comprehending Easter and Wester Grange, Dominical lands of Easter Grange, and Shoolbroads, lands of Blairlees, Hallknow, and lands of Over Grange and Riddenlees, excepting enclosures at the Brickkiln, etc., sold to the Duke of Argyll. They were burdened with an annual payment of 3000 merks to the Earl's widow, and to meet this claim the purchaser was entitled to retain 60,000 merks of the price. The rental of Grange then amounted

Cochrane, the tenth son of the Earl. Dr. Chambers states that the widowed Countess of Dundonald<sup>1</sup> continued to make Lamancha her home and had frequent visits there from her grandson, Thomas Lord Cochrane, afterwards tenth Earl of Dundonald, whose naval feats were the surprise of his later years, but at this stage it was his boyish pranks which troubled his grandmother. One story is that he disappeared from the family circle for a whole day, and from the cleft of a tall tree near the entrance to the house was an amused spectator of the anxious search which was being made for him.

Sir Alexander Forrester Cochrane was born in 1758. He entered the Royal Navy, and after a distinguished career rose to the rank of Admiral, and became a G.C.B. He married at New York in 1788, Maria, daughter of David Shaw and widow of Captain Sir Jacob Wheate, R.N., and had by her three sons and two daughters. A note in the Session Records of the parish at the time he entered to the property mentions that upon it there were thirteen inhabited houses, with a population of 42 females and 36 males. Dr. Findlater relates how that in 1802 Captain Cochrane of H.M.S. *Ajax* erected upon his estate of Lamancha a small manufactory, where by means of a calcining furnace and a mill driven by a water-wheel he endeavoured to produce a commercial article out of the iron ore which abounds in the hills to the right of the road from Noblehouse to Edinburgh, and which he converted into paint of a dark red colour. It was, however, somewhat of the nature of an experiment and did not long continue.

On 23rd June, 1804, Rear-Admiral Cochrane disposed to £312, made up thus—Cumberland park and farm (called after the Duke of Cumberland, as the Earl was far from being a Jacobite) £61; Riddenlees, Hallknow and Faddonrigg £50 with two dozen poultry; and the mansion-house and policies £200. The feuduty was 52s. 8d. Scots. Along with Grange, were also sold the lands of Quarter (parish of Glenholm) and Alcernfield. These were evidently only superiorities. Alcernfield, which it is stated belonged to John Borrowman, is still included in the Lamancha writs, but it has no territorial connection with Lamancha; it refers to Acrefield in the parish of Peebles (see vol. ii. p. 315).

<sup>1</sup> She died in 1808 at the house of her son Basil in London in her eighty-sixth year.



Lamancha to Thomas Coutts and Coutts Trotter, bankers in London, and they transferred it on 29th April, 1808, to his elder brother, the Hon. Basil Cochrane, of the Madras Civil Service, who shortly before had become proprietor of the estate of Auchterarder in Perthshire. He died in 1826, and his widow, the Hon. Carolina Cochrane (sister of George Gosling, and relict of Rev. S. Lawry), and his other trustees conveyed the estate of Lamancha on 16th January, 1832, for £13,364 to James Mackintosh, a native of Banffshire, who, having made his fortune in India, had returned to end his days in his native land.

#### MACKINTOSH OF LAMANCHA

James Mackintosh continued in possession until his death in 1869, and, according to Dr. Chambers, greatly developed the estate by sinking coal-pits, building limekilns and establishing brick and tile works, which were of much service to the country. The mansion-house and gardens he also extended, and by drainage and other means he largely increased the productivity of the farms, although it cost him an expenditure of over £30 an acre. On one of his farms, Lower Grange, he perpetuated the memory of the victory of Culloden, probably on the centenary thereof, by having carved on one of the buildings the words:—“William, Duke of Cumberland, Liberty and property’s defender, Culloden Muir, 1746.” Through his liberality a school was provided for this part of the parish at Lamancha, and it was formally given over by him to the kirk-session in 1865. He was also largely instrumental in securing the placing of the railway station at Lamancha on his own property through which the railway runs from Leadburn to Broomlee and Dolphinton. In 1863 the valued rent of the estate amounted to £707 yearly.

James Mackintosh entailed his estates in 1857, and died in 1869, succeeded by his son James, who resided for a time in Calcutta. He died in 1889, and was succeeded by his son, James, who was a mining engineer at Giridi, Bengal. He was laird until his death in 1921, when his brother,





LAMANCHA



THE WHIM



William Mackintosh, residing at Chatmohr, Romsey, Hampshire, was served as his heir. The estate was disentailed in 1923 by William Mackintosh, who died the following year, and it has since been sold in portions by his executors.

#### THE PRESENT PROPRIETORS

In 1924 the executors sold the Grange farm (rental, £212) to Mr. Mark Hogg, Innerleithen; Riddenlees farm (£151 4s.) to Walter and John White Riddell, Eddleston; Park-end farm (£30) to Miss Mary Ann Dobie, Elgin; the lands of Madrissa (£97) to Mr. Thomas Purdie, Tweedsmuir; the cottages at Lamancha, Grange and Cowdenburn to various purchasers; and in 1926 the mansion house, policies and some grass parks at Cowdenburn (£158 10s.) to Mr. James Redpath Watson, Corstorphine, and the remainder of the grass parks to Mr. Mark Hogg.

#### THE WHIM

Shortly after Major Thomas Cochrane acquired Romanno Grange he sold in 1739 a part of it, Blaircochrane, formerly called Blairbog and Cairntowmuir, and later in 1743 another part adjoining called Flowmossmuir and Dryknowes to Archibald, Earl of Ilay, afterwards third Duke of Argyll, to which also in 1743 were added by purchase from David Scott of Scotstarvit, some twenty acres of the lands of Wester Deanshouses (p. 73). These form the present estate of the Whim, and the names are significant of the original nature of the land. Blairbog, or the field of the bog, and Flowmossmuir describe a morass of considerable extent, about one hundred acres, in some places from twelve to twenty feet deep, and of a very fluid character at the source of the Dead Burn, which takes its rise at a spring on the estate called the Cress Well. In Penne-cuik's day there was but a herd's house on the place. It is said that the Earl of Ilay fancied it as a hunting ground, but it occurred to him that it might be reclaimed and improved,

and he set a large number of men to work at draining it. Some ten acres on the east side he formed into a loch, the banks of which he decorated with statues, ornamental buildings and trees; and on the west side he planted a great variety of trees, such as beech, laurel, spruce, fir and others which in course of time became a conspicuous belt of plantation. He likewise built a house, and, when he was Duke of Argyll, made it an occasional residence, forming, as it did, a halfway house between his castle at Inveraray and his London home. To those who formerly knew the place the Earl's idea of converting it into a residential estate appeared so whimsical that it was called the Whim, and the Earl of Ilay himself called it by that name in his Crown charter of the lands in 1743.

The Earl disposed the Whim in 1750 to his cousin, Lieut.-General John Campbell of Mamore, who also succeeded him as fourth Duke of Argyll, and he, after becoming Duke, sold the estate on 12th November, 1763, to James Montgomery, advocate, the younger son of Sir William Montgomery of Macbiehill, afterwards Sir James Montgomery of Stanhope, it is said for a very small price, but it is also said that on his taking possession the purchaser found as much wine in the cellar as balanced the sum he had paid for the estate. He, however, expended considerable sums in continuing the improvements inaugurated by his predecessors and in the enlargement of the mansion-house, of which Dr. Chambers says,

“Massive, gloomy and unpicturesque—like a city hospital which had got strangely out of place—it stands at the head of a lawn, which on the opposite side is bounded by the lake above referred to, the favourite resort of flocks of wild ducks. Adjoining is a court of stables and other offices of an architectural exterior worthy of the palace of a German principality.”

James Montgomery having also acquired the estates of Stobo and Stanhope (under which a fuller notice of him will be found), in 1798 entailed the estate of Whim on his second son James, who on his father's death became second Baronet of Stanhope, and from him it passed to his son, Sir Graham Graham Montgomery of Stanhope. It was the residence for

some time of Archibald Montgomery, the younger brother of Sir James and uncle of Sir Graham, whose daughter, Emily-Maria, married in 1838 Alexander, ninth Lord Elibank, and it was afterwards let to tenants,<sup>1</sup> the valued rental in 1863 being £529 3s. 10d. In 1883 the Whim was purchased from Sir Graham by John Maitland Thomson, advocate, LL.D., the talented Record scholar and editor of the *Registrum Magni Sigilli Regum Scotorum*, and on his death in 1924 passed to his nephew and heir, Professor Ian Hannah.

The present rental is £557 2s. 9d.

#### WESTER DEANSHOUSES

As the name denotes, and as in the earliest accounts of them these lands are said to be in the lordship of Newbattle, it would appear that both Wester and Easter Deanshouses were in monastic times an appanage of the monastery of Newbattle, and that they were appropriated to the use of the deans of that Abbey. They are both farms on the hilly ridge of Kingside Edge, which forms the north-eastern boundary of the parish.

In the fifteenth century they belonged to John Dickson of Smithfield, and on his death were divided between his two daughters, Marion, who married William Duddingston of Southhouse (an estate in Midlothian), and Christian, who married Walter of Wood,<sup>2</sup> and after his death, Walter Tweedie of Drumelzier. On 25th May, 1498, Christian Dickson, widow of Walter Tweedie of Drumelzier, and one of the heirs of John Dickson of Smithfield, while lying on sickbed, stated that she had in her keeping a letter of reversion of the lands of "Dennys," providing for payment of the sum of 260 merks which had been promised, as the tocher of her daughter, Elizabeth Tweedie, to Robert Scott, and this, she said, had been stolen from her. The letter of reversion bore that when the said tocher had been paid to the said Robert Scott the lands of Dennys were to return to the said Christian, and remain with her and her heirs. On the same day the said Elizabeth, as spouse of Robert Scott of Quhitchester, went to the market cross of Peebles, and made intimation that she had the letter of reversion in question, which had been voluntarily given to her by her mother, and further that the said lands of "Dennys" belonged to her

<sup>1</sup> Names of tenants and occupiers on record are, William Jamieson in 1754, John Whitelaw in 1784, and John Porteous in 1874.

<sup>2</sup> Duns Castle Report.



in terms of her own infestment therein from the King.<sup>1</sup> On 8th June following the said Christian Dickson assigned her right of redemption of the lands and mill of "Dennys" to John Tweedie of Drumelzier. Seven years later, on 15th September, 1505, King James IV., by a gift under the privy seal, granted to Mr. Richard Lawson of Hierigs the ward of the lands and mill of "Wester Dennys" along with the marriage of the heir, which had fallen to the Crown through the death of the said Elizabeth Tweedie. This gift, after the death of Mr. Richard Lawson, was on 17th December, 1511, assigned by his son, Robert Lawson of Lochtulloch, to John Tweedie of Drumelzier. Meanwhile Walter Scott, the son of Elizabeth Tweedie, was infest as her heir in the lands and mill of "Wester Dennys" on a precept from Chancery, which was certified by Sir John Hay of Happlew, sheriff-depute of Peebles, on 12th March, 1512-3; and on 8th June, 1516, he gave a letter of reversion to John Tweedie of Drumelzier as heir of his grandmother, Christian Dickson, empowering him to redeem the lands of "Wester Denehouses" on payment of 200 merks. In terms of this, warning was given on 22nd November, 1518, by John Tweedie to Walter Scott, who is here called son of Robert Scott of Allanhauch and Elizabeth Tweedie, of his intention to redeem the lands, and Walter Scott on 11th July, 1519, gave his obligation that on receiving the sum of 200 merks he would deliver up all the writs and grant a charter of the lands of "Wester Denyshouses" to the said John Tweedie. The transaction was carried through, and on 20th August, 1520, a Crown charter of confirmation of the transfer was granted to John Tweedie, who was to hold the lands of the Crown in blench farm.

In this way Wester Deanshouses became the property of John Tweedie of Drumelzier, and was included in the apprising by Malcolm, Lord Fleming, in 1525 (see p. 426), but it was soon back in the possession of Tweedie, as on 29th April, 1531, he wadset "Wester Denyshouses" to Hugh Douglas, burgess of Edinburgh, and Marjory Brown, his spouse. On 24th September, 1538, James Tweedie of Drumelzier was infest in "Wester Denyshouses" on a precept from Chancery in which mention is made of this wadset, and also that the said James, as his father's heir, had redeemed the lands.

From the deeds just noticed it looks as if the Tweedies had no knowledge of any claims which the Abbots of Newbattle or others might have on these lands, but about this time these began to be asserted.<sup>2</sup>

<sup>1</sup> King James IV. on 16th April, 1489, confirmed a charter by Christian Dickson to her daughter Elizabeth Tweedie of her lands and mill of "Denys" (there being 3 merks of reddendo for the mill to William Duddingston of Southhouse, and reservation of the liferent of Christian) dated at Peebles, 23rd October, 1488. John Dickson of Smithfield was a witness to the charter, but called deceased in the confirmation.

<sup>2</sup> It should be noted that a part of Halmyre was called Deans and also Halmyre Deans. As the Tweedies held Halmyre for a time, it looks sometimes as if the references here to the Tweedies' connection with "Wester Denyshouses" applied to the Deans of Halmyre; but they do not.

On 8th January, 1532, James, Abbot of Newbattle, and his convent granted a feu charter of the lands of "Wester Denyshousis" in the lordship of Newbattle and near their lands of Romanno Grange to their servitor and friend, Alexander Adamson, burgess of Edinburgh, and Jonet Cant, his spouse, for their lifetimes and after their death to their sons, Robert, William and James Adamson in succession for the yearly payment of £5 6s. 8d., with an augmentation of 26s. 8d. In this charter (which was confirmed by King James V. on 19th October of the same year), it is stated that the lands were sterile of grain and crops, and as regards cattle had been practically waste and useless for many years past owing to the incursions of Border thieves. Later, in 1585 and 1587, Mark Ker, son of the last Commendator of Newbattle, claimed to be the superior of Easter and Wester Deanshouses, and granted a charter on 19th March, 1585, of Wester Deanshouses to Alexander Adamson as son and heir of John Adamson, burgess of Edinburgh; and in 1609 Robert, Earl of Lothian, asserted the same claim by having himself served heir to his father, Mark, Earl of Lothian, in the superiority of these lands which were thereafter included, as part of this heritage, in Crown charters granted to him in 1620 and 1621.

The Tweedies, notwithstanding, also held them of the Crown direct, and disposed of them, for on 30th August, 1542, James Tweedie of Drumelzier, to fulfil a clause in his marriage contract with his wife, Marjory Stewart, granted to their son, John Tweedie, a charter of wadset of his lands called the "Denis" with the mill for the payment of two pence of feu maill yearly until he should redeem the same by payment of 500 merks. This charter was granted at Drumelzier, and was witnessed by John Tweedie in Annerloithane (Innerleithen) and others, and it was confirmed by Queen Mary on 7th February, 1551-2. James Tweedie also assigned to his said son the kindness of his steading of Denys and a number of cattle upon the lands. This wadset was renewed on 19th January, 1562-3, by William Tweedie of Drumelzier and Katherine Beatoun, his spouse, to the said John Tweedie, his uncle, and the transaction was completed by a charter dated 18th February on which a Crown confirmation followed in the same month.<sup>1</sup>

<sup>1</sup> In an old protocol book at Peebles there are three entries by the notary concerning this wadset dated respectively 30th January and 14th and 17th February, 1562-3. In the first of these Katherine

On 11th February, 1594, James Tweedie of Drumelzier, son and heir of William, received a loan of 1000 merks from James Tweedie, son and heir of John Tweedie of Denys, and the amount payable for the redemption of the lands was then changed to £1000. This James was infeft in the lands of Wester Denys as his father's heir on 22nd May, 1613, and Wester Denys was redeemed from him by James Tweedie of Drumelzier, son and heir of the deceased James Tweedie, on 20th June, 1617, on which day both James Tweedie of Drumelzier with Elizabeth Hay, his spouse, and James Tweedie in Deanis with Agnes Anstruther, his spouse, united in making a disposition of the lands of Halmyre and Wester Denys to John Murray of Halmyre and Janet Howieson, his spouse.

Meanwhile Alexander Adamson, merchant in Edinburgh, dealt with the lands as his property, and on 26th May, 1600, with consent of his wife, granted two charters, one of the sunny half of Wester Deanshouses to Roland Scott and Elizabeth Lawson, his spouse,<sup>1</sup> and the other of the shadow half to Robert Inglis, which were confirmed to them on 20th June, 1601, by Mark, Lord of Newbattle, as superior. Roland Scott had a son Roland who married Elspeth Inglis, and they had a daughter Marion, who married a Walter Scott and had a son Walter Scott, and to Marion and her

Beatoun, Lady of Drumelzier, outwith the presence of her husband, William Tweedie, made oath that she freely consented to the alienation by her husband to John Tweedie of the £4 lands of Denys, notwithstanding that by their contract of marriage he had promised to infeft her therein, and she promised that she would put her seal to the said deed of alienation. This she did in the hall of Drumelzier. In the second entry John Tweedie of Denys confesses that he has delivered to William Tweedie of Drumelzier a letter of reversion over the lands of Denys for 500 merks, the redemption money to be paid in St. Giles' Church, Edinburgh, or in the event of the receiver's absence to be left in the hands of the town clerk of Edinburgh, and the redemption to be followed by a seven years' tack at the rent of £4 yearly. The reversion was dated at Edinburgh on 9th February, witnesses being Alexander Horsburgh of that ilk, John Stewart of Traquair, Patrick Tweedie and others, and its delivery was made to William Tweedie in the Hall of Drumelzier. The third entry narrates that on 17th February James Prathill, as bailie of William Tweedie of Drumelzier and Katherine Beatoun, his spouse, gave sasine to John Tweedie of Denys of the lands of Denys Wester.

<sup>1</sup> They had a daughter Margaret, who married (contract dated at Edinburgh, 3rd September, 1631) Mr. John Lawson, brother-german of Mr. James Lawson of Cairnmuir, whose mother's name was Elizabeth Scott. Her tocher was 4000 merks, and Walter Scott of Ladyurd was cautioner for her. A witness was Mr. George Lawson, also a brother of Mr. John (*Reg. Deeds*, vol. 503).

son her father gave the lands on 2nd June, 1632.<sup>1</sup> The last named Walter Scott on 13th August, 1674, disposed this sunny half to David Plenderleith, merchant in Edinburgh, afterwards of Blyth, but still continued as his tenant in the lands, as did also his son, Walter Scott, against whom on 28th November, 1676, Plenderleith obtained a decree for the implementing of his father's disposition and from whom he apprised the lands. Walter Scott continued as tenant until at least 1711, but was evidently an unprofitable one, as there are on record two bonds by him to David Plenderleith, his master, one in 1697 for £69, and one in 1702 for £180, being arrears of rent, not reckoning £40 12s. 8d. which his master had freely forgiven him. At the same time another tenant in Wester Deanshouses named John Scott,<sup>2</sup> who was probably an uncle of this Walter, was due £260 of arrears of rent, not reckoning £81 3s. 6d., which his master had freely forgiven to him. A considerable number of bonds are registered against Walter Scott at this period.

The shadow half of Wester Deanshouses acquired by Robert Inglis in 1600 became divided into two by the disposition of half of it to Robert Henderson. On 18th May, 1675, John Hislop,<sup>3</sup> tenant in Deanshouses, was decerned to pay to Robert Inglis, who was probably the son

<sup>1</sup> Two representatives, each for his part of Deanshouses, were present "horsit, with jack, steil bonnet, sword and lance" on the King's muir at Peebles on 15th June, 1627, for the weaponshaw, one of these being Roland Scott, the other unnamed.

<sup>2</sup> In 1697 John Scott in Deanshouses, aged 47, and married, and Walter Scott there, aged 27 and married, were two witnesses who testified to the purchase of a horse at Biggar by John Dickson from James Bullo in ignorance that it had been stolen (Burgh Court Books).

<sup>3</sup> A curious incident is on record concerning this John Hislop. On 29th June, 1680, he was accused of having stolen a sheep from Sir John Ramsay of Whitehill, but he did not appear to answer to the charge as he was going to be married that week. The case was accordingly postponed for a fortnight, his brother William becoming cautioner in £1000 that he would duly appear and stand his trial. On the day appointed, 13th July, the case was again adjourned for a week and the caution reduced to 1000 merks. On the 20th the trial took place and the decision was that he had only been guilty of a riot, having mistaken Sir John Ramsay's hog for one belonging to his brother-in-law, so that it was no theft, the hog neither having been eatable nor killed within doors privately, but without doors in fair daylight.



of the first-named Robert, £124 10s. 8d. as the rent of the lands occupied by him, and on 1st April, 1678, Robert Inglis of Wester Deanshouses subscribed the bond to abstain from conventicles. In 1682 James Inglis, shoemaker in Edinburgh, was served heir to his grandfather, the said Robert, in the remaining half, and disposed it on 22nd March, 1690, to David Plenderleith of Blyth. A Crown charter followed on 19th April of all the lands of Wester Deanshouses which David Plenderleith possessed, and these were made over to his son, Mr. David Plenderleith, younger of Blyth, on the occasion of his marriage to Helen Balfour, daughter of John Balfour of Broadmeadows (contract dated 28th February, 1705), and are described as the sunny half of Wester Deanshouses in the lordship of Newbattle near the lands of Romanno Grange, lying between the lands of Easter Deanshouses and Falla on the east, the Riddingburn on the west, Deanshouses Burn on the south and the lands of . . .<sup>1</sup> on the north, with a seat and burial-place in the kirk and kirkyard of Newlands, and also the half of the shadow half of Wester Deanshouses lately pertaining to James Inglis, shoemaker in Edinburgh, and Jean Grieve, his spouse. On 3rd August, 1715, Mr. David Plenderleith sold his three-fourths of Wester Deanshouses to William, Earl of March, who on 17th March, 1729, sold them to Mr. David Scott of Scotstarvit.

As already mentioned, the half of the shadow half of Wester Deanshouses had been granted to Robert Henderson either by Robert Inglis or his son.<sup>2</sup> Robert Henderson died before 1651, and was succeeded by his son William, in

<sup>1</sup> In the charter of 1859 this is supplied as "Sclateburnrig."

<sup>2</sup> A Sheriff court case on 31st August, 1647, gives some information about the Hendersons. It was a complaint for riot and bloodshed by Walter Scott, son-in-law to Roland Scott, portioner of Wester Deanshouses, and by Walter Scott, son of the said Walter, against Jean Hamilton, spouse of Robert Henderson, portioner thereof, and William Henderson, their son, who made a counter complaint against Marion Scott, spouse of the said Walter Scott, Margaret Scott, his daughter, and Elspeth Inglis, spouse of the said Roland Scott, of throwing stones at them. The Scotts were assoilzied, but all were put under caution to keep the peace, Gavin Veitch in Flemington Mill becoming cautioner for the Scotts, and Robert Henderson, portioner of Wester Deanshouses, cautioner for his two sons, William and James.



whose time the lands were appraised by John Dickson, burgess, and by Patrick Veitch, sheriff clerk of Peebles, the former appraising being confirmed by a charter from the Earl of Lothian in 1653. William Henderson died and the property fell to his younger brother James, who had been for some time previously in Heathpool and afterwards in Glensax, and who is mentioned along with his mother as still alive in 1662. No more is heard of John Dickson's appraising, but Patrick Veitch's appraising was acquired by John Plenderleith, then provost of Peebles, to whose sasine on 31st October of that year Walter Scott, portioner of Wester Deanshouses, acted as bailie, and James Blaikie there was a witness. In 1667 John Plenderleith gave the lands to his wife, Elizabeth Jonkieson, in liferent, and his sons Alexander and John successively in fee, the witnesses to his disposition being William Henderson, Richard Scott, Richard Burne and John Edmond, all tenants there; and on 11th September, 1725, John Plenderleith (the son) sold this quarter of Wester Deanshouses to Mr. David Plenderleith of Blyth. He sold it on 26th July, 1729, to Mr. David Scott of Scotstarvit, who, being already proprietor of three-fourths, thus became the proprietor of the whole of Wester Deanshouses, and the teinds appertaining to them were conveyed also to him by the Earl of March on 30th September, 1730.

#### EASTER DEANSHOUSES

Of Easter Deanshouses, a farm which lies to the east of Wester Deanshouses on the same hilly ridge, there is comparatively little on record. It also belonged to the Abbey of Newbattle, and on 30th October, 1539, the Abbot gave a feu charter thereof to William Ramsay of Polton for the yearly payment of £6 13s. 4d. A second charter was granted to him in 1541, and on his resignation in 1550 it was given to his son, Oliver Ramsay, who sometime afterwards passed it on to his son James. After the Reformation, Easter Deanshouses along with Wester were rated in the Book of Assumptions of the thirds of benefices as paying £6 13s. 4d. towards the support of the ministry.

On 6th June, 1605, Mark, Lord of Newbattle, as superior, confirmed to James Ramsay the charter by his father Oliver, and the superiority of Easter Deanshouses is included in the Crown charter of the lands of Robert, Earl of Lothian, in 1609. On 9th April, 1629, William Ramsay, son and heir of the deceased John Ramsay, sometime of Whitehill, disposed Easter Deanshouses to Mr. Simon Ramsay of Whitehill who had a Crown charter thereof on 31st July, in which mention is made that they were formerly held of the Commendator of Newbattle. Mr. Simon died in January, 1643, and in the retour of his son John to him the lands of Easter Deanshouses are described as lying in the lordship of Newbattle between the lands of Kingside and Mosshouses on the east, those of Wester Deanshouses on the west, Over Falla on the south, and Romanno Grange and Moss-houses on the north. Sir John Ramsay of Whitehill served himself heir on 8th July, 1697, to John Ramsay, his uncle, therein and sold the place to William, Earl of March,<sup>1</sup> on 29th August, 1713, and he on 17th March, 1729, disposed Easter Deanshouses to Mr. David Scott of Scotstarvit.

#### DEANSHOUSES

Both Wester and Easter Deanshouses being thus united in the person of Mr. David Scott of Scotstarvit he sold the greater part of them on 25th November, 1735, to Charles, second Earl of Portmore (vol. II. p. 504), and the remainder, which were only some small parts, on the same day to Archibald, Earl of Ilay, which parts are now incorporated in the Whim (p. 65). The lands sold to the Earl of Portmore are given as Easter and Wester Deanshouses, and the farms of Blinkbonny,<sup>2</sup> Mitchelhill<sup>3</sup> and Leadburn. During the

<sup>1</sup> William, Earl of March, was possessor of the teinds before he acquired the lands, for on 25th March, 1707, an order was issued in the Sheriff court against Walter Scott, Helen Inglis, James Merk and Andrew Henderson in Wester Deanshouses to pay to him £240 due for teinds, and a similar order was made against James Wilson in Easter Deanshouses.

<sup>2</sup> Blinkbonny lies to the south of Wester Deanshouses.

<sup>3</sup> Mitchelhill lies to the north of Easter Deanshouses and is composed of the lands of Kingside and Craighurn.

time they were in his possession it is on record that in 1764 John Nisbet, a chapman in Innerleithen, died in the house of John Fraser at Wester Deanshouses, and a roup was ordered to be made of his effects for the benefit of his widow, Isobel Redford, and her six-months old son ; her cousin, William Redford in Rosehill, near the Whim, being appointed executor. In 1783 Thomas Stevenson was tenant in Deanshouses, and he was still there in 1790 when the Rev. Charles Findlater wrote his account of the parish, and says of him that he was almost the first in Tweeddale to begin dairy farming and send in produce to Edinburgh.

William Charles, third Earl of Portmore, sold Deanshouses in 1798 to Colin Mackenzie, W.S., who had a Crown charter of them on 2nd July, 1804. From him they passed in 1830 to his son, William Forbes Mackenzie, who sold them in 1859 <sup>1</sup> for £19,750 sterling to Peter Redford Scott, merchant in Edinburgh. He died on 23rd May, 1865, without issue, leaving a settlement directing an entail of his estates to be made after the deaths of his wife, Jessie Crease, his brother, Francis Scott of Howford, and his sisters, Margaret and Christian. Of these only his wife survived him, and she died in 1876. In accordance with the settlement his trustees executed a deed of entail of the lands, which is dated 2nd December, 1880, in favour of a series of heirs, the first of whom was the late John Young, who resided at the Lindens, 12 Mayfield Gardens, Edinburgh (eldest son of Mrs. Jane Gill or Young, wife of William Young of Galashiels) ; he took the surname and designation of " Scott of Redfordhill and Deanshouses ".

John Young Scott died on 17th May, 1921, and was succeeded by the present proprietor, his kinsman,<sup>2</sup> Robert John Gill, then resident in New South Wales, who thereupon took the same surname and designation.

The present rental is £655.

<sup>1</sup> The tenants in 1859 are James Mark in Easter Deanshouses, James Inch in Wester Deanshouses, the deceased William Blake in Blinkbonny, James Alexander in Mitchelhill, and the deceased Henry Ker in Leadburn.

<sup>2</sup> Robert John Gill's great-grandfather, Robert Gill, Galashiels, was a brother of Thomas Gill or McGill, the maternal grandfather of John Young Scott.

## FLEMINGTON

Midway between Newlands Church and Stevenston stands the farm of Flemington, styled until recently Flemington Mill. It is prettily situated at the foot of the Flemington Mill Burn, which descends from the heights of the Wether Law and falls into the Water of Lyne after passing the farm. The name suggests its own origin as being the settlement of some Fleming; and that there were Flemings in the district is proved from the history of the neighbouring farm of Stevenston. Originally the name was simply Flemington, for in a rental of 1376 it is so named and said to be set in tack to James Swayne and William, his son, for the yearly rent of £12; and it is now so called, but as there was a mill in connection with the lands called Meiklehope Mill, to which a number of the adjacent lands were thirled, it was long known as Flemington Mill.

When they come into particular notice the lands belong to the Earls of Morton, and, later, they are included in the barony of Newlands under the Earls of Traquair. On 29th June, 1653, John, Earl of Traquair, and John, Lord Linton, his son, wadset the lands of Meiklehope, Flemington, and Flemington Mill for 9500 merks to Alexander Baillie, younger of Callands. He assigned the wadset in 1663 to Sir John Scougal of Whitekirk, a Lord of Session, who in 1664 advanced a further sum of 1000 merks to Sir Thomas Rutherford of Hunthill (afterwards second Lord Rutherford), the apparent heir of provision to Andrew, Earl of Teviot, receiving a bond for that amount over the lands. This wadset and bond Sir John Scougal transferred in 1672 to John, Earl of Tweeddale, and the property has since remained part of the Neidpath estate. (Vol. II. p. 291.)

The present rental, which includes Fingland and Whiteside, is £527 3s. 9d.

## WHITESIDE AND GLENMUTH

(PART OF FLEMINGTON)

Whiteside is the name of a hill lying to the north of Flemington Mill on the summit of which are the remains of an ancient British fort



and half-way up on its western side the ruins of a fortress which from their appearance must have been a place in its day of considerable strength and importance. Along the foot of the hill on the same side runs the Water of Lyne, on the bank of which near to the old parish church, says the *Origines Parochiales*, were still to be seen in the beginning of the eighteenth century the foundations of another stronghold or castle to which local tradition gave the name of "Grahame's Walls." The tradition also lingers that the structure at the river side was the more ancient and that the tower half-way up the hillside was built from its stones. But whatever the structure at the river side may have been it seems highly improbable that it was a baronial residence as Whiteside Tower must have been, for the latter stood on a commanding site, and dominated this part of the valley of the Lyne. The traditional name of Grahame's Walls suggested to Dr. Renwick that it might have had something to do with a Roman wall, as that at Falkirk has the appellation of Grimes Dyke, but to the writer the name rather points to the probability that Whiteside Tower was the baronial residence of the Grahams when they were the proprietors of the district of Newlands, and that the name has down through the centuries associated itself with the castle remains, just as there still lingers in connection with the Roman camp at Lyne the tradition of Randolph's Walls (p. 520).

On 15th April, 1536, King James V. confirmed a charter by James, Earl of Morton, to Nicholas "Cairncors," burgess of Edinburgh, of the lands of Whiteside and Glenmuth, and in 1549, sasine was given to John Cairncross, in Colmislie, of the lands of Whiteside and Glenmuth. It is noteworthy that the investiture took place at the principal mansion of Whiteside and at the old walls of "Glenmuthain," the witnesses being Alexander Ramsay and Adam Thorbrand in Harehope. (Were these old walls what have just been mentioned as Grahame's Walls?) The former possessor was Sir George Douglas, and a few months after being put in possession Cairncross sent William Paterson in Forespittell to remove thence the cattle of Sir George and replace them with his own. On 28th October, 1556, James Douglas in Spittalhaugh, by direction of James, Earl of Morton, the superior, placed Robert Cairncross of Colmislie in possession of the lands of Whiteside and Glenmuth, it having been agreed between the Earl and Robert Cairncross that the Earl's cattle were to be removed from the lands and then immediately placed back upon them to be tended by the Earl's own shepherd. Robert Cairncross chose for his wife, Barbara Home, daughter of Sir John Home of Coldinknowes, and prior to her marriage, on 30th January, 1556-7, she was infest in liferent in Whiteside and Glenmuth, sasine (to which Sir Thomas Paterson, curate of Newlands, was a witness) being taken on the ground thereof near the glebe of the Church. There seem, however, to have been some competing claims to the lands, for on 4th May, 1557, sasine therein was given to John Cairncross in Colmislie as heir of his brother, the deceased Nicholas Cairncross, burgess of Edinburgh, and



mention is made that by contract between James, Earl of Morton, and Robert Cairncross of Colmislie, the latter had agreed to hold the lands from the said Earl and to acknowledge him as his superior thereof. It does not appear that the Cairncrosses personally resided at Whiteside, and the tacksman or tenant seems to have been William Turnbull.

There is little more to say about the lands. Glenmuth, as applicable to part of them, no longer appears in the records, and the whole property is thereafter referred to as Whiteside. It was included in the charter of 1631, of the barony and regality of Newlands and West Linton, by the Earl of Morton to Traquair, by which time it is evident that the Morton family held the rights of both superiority and property. Whiteside was wadset by John, Earl of Traquair, in 1653 for 1400 merks to Archibald Johnston of Hutton, who had a charter in 1654 from Cromwell, as Lord Protector, and who in 1658 obtained decree against the Earl and Alexander Baillie, the tenant, that the reversion under the wadset had expired. In 1663 Joseph Johnston was served as heir to Archibald, his father, and in 1664 he assigned the wadset for 14,000 merks, and £329 18s. 8d. of arrears of rent, to James Sinclair of Roslin, who in 1671 assigned it to John, Earl of Tweeddale. Whiteside (now a part of the farm of Flemington) has since remained part of the Neidpath estate.

## FINGLAND

### (PART OF FLEMINGTON)

Fingland, part of the Neidpath estate since 1672, is a hill farm occupying the high ground of the Flemington Mill Burn and its tributary, the Fingland Burn, both of which drain the western slopes of the Hog Law and the Wether Law. There are several farms of this name of Fingland in the counties of Peebles, Dumfries and others, and its derivation is obscure. This one in Newlands parish marches with Eddleston parish on the east, and the only dwelling upon it now is a shepherd's house which looks down from the hillside upon Courhope.

It was part of the barony of Newlands in the regality of Dalkeith, when on 13th June, 1532, James, Earl of Morton, sold it to Dame Janet Paterson, widow of Sir Alexander Lauder of Blyth, in liferent, and John Carkettill, her grandson, and heir, in fee; and there is a Crown confirmation of the transaction by King James V. on 16th February, 1533-4.

When in 1631 the Earl of Morton sold the barony of Newlands to the Earl of Traquair, Mark Hamilton is named as wadsetter of Fingland, and in 1657 John, Earl of Traquair, wadset it, along with Scroggs in Lyne, to John Stewart, son of Alexander Stewart of Fauldishope, for £10,000 Scots in satisfaction of his wife's<sup>1</sup> portion and some other debts. Stewart transferred his wadset in 1663 to Robert Andrew,

<sup>1</sup> Lady Katherine Stewart, the Earl's third daughter.

burgess of Edinburgh, who in 1672 disposed it to John, Earl of Tweeddale. On 20th December, 1676, Lieut. John Stewart, son of the deceased John Stewart of Fingland, was made a burgess of Peebles.

## STEVENSTON

Stevenston is a farm in the extreme south of the parish on the banks of the Water of Lyne and near its confluence with the Tarth Water. Its name seems to have been derived from a Flemish or Norman settler called Estuene, *i.e.* Steven, who in 1296 swore fealty to King Edward I. of England. Or it may have been from Stephen the Fleming, Justiciar of Lothian, who in 1259 took part in an inquest at Peebles respecting the lands of Kailzie. There is also on record a Stephen of "Stenstoun" as being on 20th October, 1433, upon an inquest at Stobo.<sup>1</sup> Here these persons had their town or manor, and the hill which rises behind the home to over 1500 feet above sea-level is called Stevenston Hill.

In Robertson's *Index of Missing Charters* there is mention of one by King David II. to Thomas Ker of the lands of Stephinson or Steinstoun in the sheriffdom of Peebles, which are said to have been forfeited by Christian Liddell. The lands became part of the barony of Newlands, and as such were held in superiority by the Earls of Morton. By the beginning of the sixteenth century, Stevenston had been divided up into four parts, one-quarter being the property of the Govans of Cardrona and the other three belonging to the Kers of Yair, Thomas Ker of Yair being in 1523 infeft therein as heir of William Ker of Yair, his grandfather, on a precept by James, Earl of Morton. To him succeeded his son, William Ker of Yair in 1570, and to William, his son, Andrew Ker of Yair, in 1579. John Govan of Cardrona had a charter and precept in 1516 from John, Earl of Morton.

Govan's fourth part had been leased to Thomas Brown, and the Kers' three-fourths were also in the possession or occupation of persons of the name of Brown. Thus in 1552 there was a Nicholas Brown in Stevenston who had a son William, and probably the Thomas who had Govan's quarter was also his son. Thomas married Isobel Murray, and they had a son William. Isobel Murray's testament shows that she died a widow in December, 1596. Their son William became Treasurer Clerk and Presenter of Signatures in Exchequer, and a disposition was granted to him and Magdalene Lawson, his spouse, and his eldest son, by William Ker of Yair of his three-fourths on 2nd November, 1610, John Govan of Cardrona disposing his fourth to

<sup>1</sup> Yester Writs.

them on 17th December, 1623. On 31st January, 1624, William, Earl of Morton, ratified these by a charter to William Brown in liferent and to Mr. James Brown, his eldest son, in fee, viz: the whole four quarters of the lands of Stevenston, and this charter was confirmed by King James VI. in June. William Brown was appointed in 1623 a justice of peace for the county. Mr. James Brown and also William, the second son, appear to have predeceased their father without leaving issue, as the successor to William both in the lands of Stevenston and in his offices was Mr. Patrick Brown, their younger brother; and there was also another brother, Mr. John.

Mr. Patrick Brown of Stevenston, Presenter of Signatures in Exchequer, in 1629, in his father's lifetime, married Margaret Kinnear, daughter of the deceased James Kinnear of Forret (contract made at Edinburgh and Forret, 14th and 18th January, with consent of Margaret Riccartoun, her mother, Andrew Hay, now Margaret's spouse, and Harie Kinnear of Forret, her brother), her tocher being 6000 merks. The bridegroom's brothers, Mr. James and Mr. John, were witnesses. She died before 1642, as in that year he married as his second wife Margaret Jonking, widow of David Cruikshank, merchant in Edinburgh. Mr. Patrick Brown was made a burghess of Peebles on 27th April, 1647. In 1657 he held his lands from John, Lord Linton, the superiority having passed into the family of Traquair. However, in 1661, John, Earl of Traquair, relinquished the superiority in favour of Mr. Patrick Brown, who thereafter held direct of the Crown, and in 1664 and 1667 obtained charters thereof from King Charles II. to himself in liferent and to William Brown, his eldest son, in fee. William Brown had succeeded to his father in or before 1675, and in a survey of the lairds of Peeblesshire in 1677 in reference to the taking of the Test, he is called of Stevenston, and said to have his residence in Edinburgh. He also succeeded to the office of Presenter of Signatures in Exchequer. He had a brother, Mr. Henry Brown, who was a writer in Edinburgh.

On 15th December, 1677, William Brown wadset Stevenston to his brother-in-law, William Robertson, merchant in Edinburgh, for 10,000 merks, and sold him the right of reversion in 1681 for other 5000 merks, upon which Robertson adjudged the lands from him in 1684. But they were in turn apprised from Robertson by his creditors in 1700 and passed into the hands of William, Earl of March, who bought up the debts, and had a Crown charter of the whole property on 30th November, 1703, to be held blench for payment of one penny Scots. His son, William, Earl of March, was served heir therein on 17th April, 1707, and in 1724 gave Stevenston to his wife, Lady Anne Hamilton, as one of her jointure lands. To him again his son, William, Earl of March, afterwards Duke of Queensberry, was served heir on 4th November, 1731.

In 1792 the lands were exposed for sale by roup by William, Duke of Queensberry, at an upset price of £3200,

and purchased for £3450 sterling by John Hay, younger of Hayston (afterwards Sir John Hay, fifth Baronet), and he was infest therein on 20th July, 1793, Alexander Davidson, the tenant, acting as his attorney.

The rental of the lands is then given as £114 4s., so that the price paid was equal to 30 years' purchase. In 1812 the valued rent is stated as £289 1s. 7d. Scots as testified by John Murray Robertson, clerk of supply; and in the same year a herd in giving evidence in a sheep-worrying case there speaks of coming down Stevenston Hope by the old farmhouse of Stevenston to the new farm where Mr. Gladstones resides. In 1808 a dry-stone dyke was erected between the farms of Stevenston and Flemington Mill at the cost of 14s. "for each running road of six Scots ells."

Stevenston remained with the Hays till 12th July, 1841, when Sir Adam Hay, seventh Baronet, sold it to Francis Charteris Douglas, Earl of Wemyss and March, in whose family it still remains.

The present rental is £202 7s.

#### DROCHIL

The lands of Drochil (which were until a century ago occupied in two parts, Over and Nether) are conspicuous in the parish of Newlands chiefly from the fact that James Douglas, fourth Earl of Morton, and better known as the Regent Morton, one time owner of the barony of Newlands, made choice of the brow of the hill overlooking the meeting of the Waters of Lyne and Tath on which to erect the Castle of which the ruins are still alike magnificent and monumental. The lands themselves first come into notice in 1296, when Alisaundre de Droghil of the county of Peebles swore fealty to King Edward I. at Berwick-upon-Tweed. The same individual, however, occurs probably at an earlier date when he and Alice, his wife, made an agreement with the monks of Newbattle as to the marches between Kingside in the parish of Eddleston and the lands of Spurland in Midlothian which belonged to the monks,



and to this transaction there appear as witnesses Philip of Roumannoch, Roger, son of Aggon, Gilchrist of Schope-laws, Reginald of Steuardistoun and Adam Bull. In the Morton Rental of 1376 of the barony of Newlands, Drochil is said to be set in tack to Allen, son of Henry, for £4 of rent, and the cautioner for payment is Andrew, son of John. At the same time there is a William of Drouchilde of whom mention is made in the same rental as being cautioner for Adam, the miller, for his rent of the Mill of Kilbucho.

Nothing further has been found anent Drochil until 1562, when on 8th September, James, Lord of Dalkeith, granted a tack of the half of the lands of Nether Drochil presently occupied by John Neilson to John Bold, indweller in the Towyr.<sup>1</sup> This mention of "the Towyr" confirms the surmise of Dr. Renwick of the existence of an earlier fortalice on the site of the present Castle. From Queen Mary the Earl of Morton, who was the second son of Sir George Douglas of Pittendreich and brother of David, seventh Earl of Angus, and who had secured the earldom by marrying one of the daughters of the previous Earl, obtained a charter of the barony of Newlands and others (which the previous Earls of Morton had held), in 1564, and soon thereafter commenced to build his castle at Drochil, but it was still unfinished in 1581, when he was put to death.

Drochil came to the Earl of Traquair in 1631 with the rest of the Newlands barony, and in 1632 he wadset Over Drochil to George Douglas in Linton for 4500 merks.<sup>2</sup> In 1644 Robert Geddes, Richard and John Burns, Eupham Douglas, widow, and William Douglas, her son, all in Drochil, were fined for cutting green wood belonging to Lord Yester in Froistholl, and the two last named were again fined in 1649.

On 15th June, 1647, Sir Michael Naesmyth of Posso had a tack of Nether Drochil from John, Lord Linton, for 600 merks yearly, and in 1657 the latter claimed £4000 as rent. The claim was referred to arbitration, when it was found that £1100 had been paid to the factors and £170 expended on repairing the houses, that it had cost Sir Michael £948 for quarterings while the English army under Col. Hackerss and others lay at Peebles, besides £610 for cess; and he had paid to Dr. Burnet as cautioner for the Earl of Traquair £806 13s. 4d., so that all that was due was £796 13s. 4d.<sup>3</sup> The tack was for Sir Michael's life-

<sup>1</sup> Peebles Protocols.

<sup>2</sup> The wadset became the property of William Douglas, perhaps a son of George, as he is mentioned as in Over Drochil in 1654. He assigned the wadset in 1664—(he is then designed as in Wester Haprew)—to Robert Andrew, burgess, Edinburgh, who in 1672 assigned it to John, Earl of Traquair.

<sup>3</sup> Peebles Burgh Deeds.



time, but he resigned it in 1663.<sup>1</sup> In 1662, in an action for the duties of the lands of Drochil, they are said to belong heritably to John, Earl of Traquair, but to have been apprised from him and to be in the possession of Sir Michael Naesmyth of Posso and his tenants ; <sup>2</sup> and there is reference to a Mr. John Naesmyth in Drochil in 1668 as an arbiter in a dispute between some neighbours, and in 1670 as a witness.

Drochil, as part of the barony of Newlands, passed to the Earl of Tweeddale in 1671, and from him in 1686 to William, Duke of Queensberry, after which it became and remains part of the Neidpath estate, the property of the Earls of Wemyss and March.

A new farmhouse was built at Drochil in 1824.<sup>3</sup>

The present rental is £403.

<sup>1</sup> Mention is made of Patrick, son of James Douglas in Nether Drochil in 1680, and about the same time Richard and William Johnstone were tenants.

<sup>2</sup> Sheriff Court Books.

<sup>3</sup> The tenant at this time was James Murray, younger, who married (contract dated 3rd November, 1814) Marion Tweedie, eldest daughter of the late Alexander Tweedie, tenant of Dreva. In 1819 he obtained a commission as Cornet in the Peeblesshire Yeomanry Cavalry from Alexander, Lord Elibank, then Lord Lieutenant of the county, and in 1826 he was promoted by the Earl of Wemyss to be a lieutenant in place of Lieutenant John Hay who had resigned. His brother, William Murray, according to his will, in 1824 resided at Drochil Castle, which suggests that it was then still habitable. A tack by Francis Charteris Douglas, Earl of Wemyss and March, on 18th April, 1833, to James Murray, tenant of Over and Nether Drochil, of the lands of Fingland, was signed at Drochil Castle, and a witness to it was John Tweedie, preacher of the Gospel, residing there.

His first wife having died, James Murray married (contract dated 19th August, 1840) Margaret, daughter of Adam Anderson, a residenter in Edinburgh. He was familiarly known as " Old Drochil " and greatly esteemed. He died in 1867, having had five sons and two daughters. The younger sons were Thomas, who succeeded to Flemington Mill, and married Grace, fourth daughter of Richard White in Hamildean, but had no family ; William, who became tenant of Whiteside and died unmarried ; John, who died young ; Alexander, who became a flesher in Edinburgh, married Alice Peacock there, and had two sons and a daughter, dying there on 5th January, 1859 ; the daughters being Barbara and Elizabeth, who lived at Drochil Castle with their brother and died unmarried.

The eldest son, James Murray in Craigend, Callands and Drochil, married about 1844 Isabel Mackie, the daughter of a Leith merchant, and their children are on record in the Newlands parish register, James, born 3rd February, 1845 ; John Mackie, 26th November, 1846 ; Jane Isabella, 8th June, 1851 ; and Marion Tweedie, 26th April, 1853, were all born at Leith, with the exception of John Mackie, who was born at Callands. There were other three children, Thomas Alexander, Charles

## BORDLAND

The estate of Borland or Bordland in the parish of Newlands (for there are numerous places of the same name) lies between Romanno Bridge and Newlands Bridge on the west side of the Water of Lyne. It is mentioned in the rental of 1376 as having been leased to John, son of Laurence, for the yearly rent of £5 6s. 8d., and James Swayne is cautioner for its payment. For the next two centuries no notice has been found of it, but it had passed into the possession of the Lawsons, for in 1556 George Lawson, son and heir of the deceased Patrick Lawson of Bordland, was infeft in the 40s. land of Bordland at the door of the principal mansion thereof on a precept by John Lawson, son and heir of the deceased James Lawson of Hierigs. He married Janet Stewart (eldest daughter of William Stewart of Traquair by Christian Hay, second daughter of John, second Lord Yester), and the widow of William Sinclair of Blans, and she was infeft in liferent in the lands at the same time. Three years later George Lawson appointed James Stewart, brother of John Stewart of Traquair and his own brother-in-law, his assignee to a sum of 240 merks which had been consigned in the hands of Robert Graham, merchant in Edinburgh, nineteen years previously on behalf of the said George for the redemption of the lands of Borland. George Lawson was still there in 1564.

Bordland was part of the barony of Newlands, and by the end of the sixteenth century belonged not only in superiority but also in property to the Earls of Morton. In 1612 and 1617 Robert Tweedie, uncle of James Tweedie of Drummelzier, was in Bordland, over which he had a wadset, and he and John, his son, were witnesses at Scotstoun in 1637. He is again mentioned in 1638. On 18th June, 1647, John, Earl of Traquair (who had acquired the barony of

Charteris, and Arthur Edward, at present residing in Edinburgh (from whose papers much of the information here given has been obtained). The eldest son and second youngest son, and also both the daughters, died unmarried, but John, Thomas, and Arthur all married and have issue, the last named having married Louisa Georgina M'Hutcheon, with issue Violet Marion and James Mackie Murray.



DROCHIL CASTLE



Newlands, including Bordland, from the Earl of Morton in 1631), wadset the lands for 6000 merks to Captain James Tweedie, eldest son of Robert Tweedie of Bordland, and Captain James and Liliass Bannatyne, his wife, on 3rd April, 1664, assigned this wadset to James Sinclair of Roslin, who on 21st December, 1671, conveyed it to John, Earl of Tweeddale. It is on record that in 1653 Captain James Tweedie of Bordland and Robert Murray there had raised two companies of foot, in one of which James Tweedie, portioner of Linton, was a lieutenant, and Captain James is frequently referred to up to 1669. On 14th June, 1678, a charter was granted by the Earl of Tweeddale to Richard Murray of Spittalhaugh of the lands of Bordland and others with that part of the commonalty of Blyth that pertains to the lands.<sup>1</sup> Bordland thereafter remained part of the estate of Spittalhaugh till 1805, when the greater part was sold by the trustees of Andrew Hamilton of Spittalhaugh to William Aitchison for £7350 sterling, who obtained a charter from the Duke of Queensberry on 17th November, 1809, confirming the transaction. He greatly improved the estate by reclamation and cultivation, including the planting of trees, and on these he is said to have expended nearly £20,000. In 1838 William Aitchison executed a trust deed in favour of his seven sons, who were named William, James, John, George, Francis, Robert and David, and they as their father's trustees in 1840 made over the estate to their third youngest brother, Francis.

In 1851 the estate was purchased from Francis Aitchison and his wife, Cecilia Kerr, by Alexander M'Neil, late of the island of Java and then residing in Campbelton, for £11,000. He was a son of Neil M'Neil of Ardnacross in Argyllshire. He added considerably to the improvements formerly made on the estate, built the present mansion-house and laid out the grounds. He married Isobella Maria Loudon, and died in 1867. His trustees in 1872 sold the property to George Hope of Glencotho, who was succeeded in 1877 by his eldest son Alexander Peterkin Hope. By him Bordland was exposed for sale, and purchased by the late Sir James

<sup>1</sup> The superiority of Bordland is still part of the Neidpath estate.



Ranken Fergusson of Spittalhaugh, by whose trustees it was sold in 1925 to Major Edward Gordon Thomson of Callands. The parks adjoining Romanno Bridge are let to the Romanno Bridge Poultry Farm.

The present rental is £541 10s.

#### CALLANDS

Adjoining Bordland on the west, the estate of Callands lies on the same side of the Water of Lyne between Drochil and Newlands Bridge. It is composed of elevated ground, and embraces Henderland Hill, which rises to a height of 1123 feet, and is surmounted by the remains of an old British fort. The lands were formerly called Cowthropple, and as part of the barony of Newlands belonged to the Morton branch of the Douglas family, as did many of the neighbouring properties in early days.

In 1558 William Gifhart, son and heir of the deceased John Gifhart in Cowthropple, obliged himself by his oath to defend James Douglas and Janet Boid, his wife, in respect of a sum of 90 merks remaining unpaid to them by John Boid of Bondschaw, the transaction taking place in the house of James Douglas in Spittalhaugh. The Giffords were early dependants of the powerful Douglas family. There were Douglasses (no doubt cadets of the Earl of Morton, the superior of the lands) in possession of Cowthropple in 1595, for in that year Thomas Douglas and Marion Douglas, his spouse, were infeft therein on a charter of wadset by William, Earl of Morton, and in 1626 James Douglas of Cowthropple, his son, was cited before the presbytery of Peebles for absenting himself from the kirk-session of Newlands, of which he was a member. He explained that he did so because Andrew Murray of Romanno, his fellow elder, had, while sitting in the House of the Lord, called him a liar to his face, and had said to him in audience of all the people that his wife's waistcoat was not honest, and neither was any of his gear or that of his parents or of any Douglas in Scotland. Murray admitted part of the charge and was deposed for his offence, and had to do penance on the stool of repentance. The Earl of Traquair in 1632, the year after he acquired the barony of Newlands (including Cowthropple), wadset the property along with "Standthelane" commonly called the Kirklands of Newlands, to James Douglas for 6500 merks. James married Marion Tweedie, and in 1656, on the marriage of his son Thomas<sup>1</sup> to Helen (daughter of James Geddes of Kirkurd), who brought with her a tocher of 3000 merks, he transferred the wadset to them; they

<sup>1</sup> James had another son, Alexander.

immediately assigned it to James Sinclair of Roslin, who in 1671 assigned it to John, Earl of Tweeddale.

The Baillies were in Callands in 1622, and with their advent came the change of the name, at least of that part of it which they occupied, for the Douglasses still continued there and called their portion Cowthropple, which name is found in use until at least 1674. Alexander Baillie, first of Callands, appears to have come from Crawfordjohn, as there is on record a sasine dated 25th February, 1664, to Alexander Baillie of Callands in three oxgates of land in the Overtoun of Crawfordjohn in the shire of Lanark which are said to have been formerly occupied by the deceased Elizabeth Kair, and by John Crawford and the deceased Alexander Baillie of Callands.

The Alexander Baillie to whom this sasine was given was thus the second of the name in Callands. He was made a burghess of Peebles on 27th April, 1646, along with Captain Hew Baillie, quartermaster to the Earl of Crawford Lindsay. He married Jean Murray of the Blackbarony family, and obtained in 1665 from Dame Margaret Murray, the second wife of Sir Alexander Murray of Blackbarony, a ratification of a previous disposition by them to him and his wife of the lands of Plewlands and Templedale in the parish and barony of Newlands, with other lands in warrandice. With Dame Margaret he also acted as a curator to her children as being among their nearest of kin on the maternal side. He had a number of money transactions with the Hamiltons of Coldcoat, and it was from them that the lands of Plewlands (p. 59), were acquired by means of apprisings for debt. With this acquisition he seems to have changed his place of residence to Plewlands.

For several years Alexander Baillie was chamberlain and factor for John, Earl of Tweeddale, and also bailie of the regality of Newlands and Linton. There is on record a deputation or letter of factory dated at Yester, 10th October, 1671, whereby John, Earl of Tweeddale, and John, Lord Hay of Yester, his son, appoint Alexander Baillie of Callands to be their factor over their lands in the parishes of Peebles, Lyne, Stobo, Drumelzier, Tweedsmuir, Eddleston, Linton, Newlands, Traquair, Heriot, and others. In 1678 he subscribed the bond for abstaining from conventicles, and in 1682 he received from John, second Earl of Tweeddale, a disposition of the lands of Cowthropple<sup>1</sup> (then called Callands) to himself in liferent and his eldest son Alexander in fee, the holding being blench for payment of a silver penny yearly, if asked. Alexander Baillie, the elder, died in or before 1689. He had also sons, William and Andrew.

Alexander Baillie of Callands, the eldest son, married Mary Hamilton, daughter of John Hamilton, fiar of Coldcoat, and succeeded his father in the lands. On 8th November, 1673, he granted a bond for 200 merks to Robert Hamilton, his brother-in-law, among the witnesses being Alexander and Mark Hamilton, brothers of the said Robert. He was

<sup>1</sup> The Kirklands of Cowthropple were feued by the Earl in 1678 to Richard Murray of Spittalhaugh, of which estate they are still a part.

then "younger of Callands," and is so styled until at least 1685. He died in September, 1715, and it was of him, as his friend, that Dr. Pennecuik penned the following lines :

"Farewel Old Calins, kannie all thy life,  
By birth, by issue and a vertuous wife,  
By gifts of mind and fortune from above,  
The fruits of Ceres and the country's love,  
Just, kind and honest to thy fatal breath,  
Prudent thy life and patient was thy death."

He was succeeded by his son, a fourth Alexander Baillie of Callands, who married Isobel Brown or Burn. The lands of Callands were sold by him<sup>1</sup> in 1712 for 11,800 merks to the Earl of March, and then by that Earl by two dispositions in 1726 and 1728, to Robert Geddes of Scotstoun, from whom they passed in 1740 to his brother, James Geddes of Rachan. He divided the lands in a feu contract with John Hunter of Howburn and John Aitken, merchant in Elsrickle on 14th March, 1748, giving the south half to the former and the north half to Aitken. The price paid was £897 17s. 1d. sterling, the feu-duty was £4, and the lands were thirled to Scotstoun Mill.

The superiority rights were acquired from James Geddes and his son's trustees in 1752 by Mr. John Carmichael of Skirling, who on 29th March, 1756, granted a precept of *clare constat* to William White, the grandson of John Hunter, in South Callands. White sold his half to Andrew Aitken, portioner in Elsrickle in 1761, who gave it to his youngest son James in 1776, and he disposed it in 1792 to John Aitken, younger, of North Callands in 1792.

North Callands was disposed by John Aitken on 2nd June, 1781, to his eldest and then only son, John Aitken, and in the deed he mentions the latter's contract of marriage with Margaret Murray, only daughter of James Murray, tenant in Whiteside, dated 22nd September, 1774, naming the lands as those of Callands formerly called Cowthropple, and the lands of Claistermure or Clashiemure, being part of Callands. This conveyance was burdened with the payment of an annuity of £10 sterling to Jean Hunter, his wife, and another of £2 to his eldest daughter, Janet Aitken, then the widow of James Blacklaw, late tenant in Whitecastle, and their three children, John, Andrew and Marion Blacklaw. John Aitken had other four daughters, Jean, Margaret, Christian and Marion, all of whom were married.<sup>2</sup>

<sup>1</sup> Alexander Baillie died in January, 1735, and his three daughters, Mary, Barbara and Rachel, were served heirs portioners to him in 1738. The husband of Mary was James Smith of Braidshaw; of Barbara, James Leishman of Plewlands; and of Rachel, James Somerville, brewer in Gairnshall.

<sup>2</sup> Mention is made of James Hodge as tenant in Callands in 1725 and 1732, whose eldest son, James, in that year married Janet Whyte, eldest daughter of John Whyte, tenant in Fala, and received a tocher of 500 merks; also of William Anderson as tenant in Callands in 1757, and James Johnstone in 1768. Robert Aitken was tenant in 1776.



SCOTSTOUN



CAPTAIN AENEAS MACKAY





For other two generations the Aitkens held Callands. James, the only son of this John, succeeded his father and enlarged the property by the purchase, in 1805, from the trustees of Andrew Hamilton of Spittalhaugh of a small portion of the lands of Bordland lying on the west wide of the road from Mountain Cross to Callands, and extending to  $12\frac{1}{2}$  acres, Scots measure. His son John was served heir on 25th May, 1840, to his great-grandfather, John Aitken of Callands, and infest on a precept from Sir Thomas Gibson Carmichael. In the same year Callands and the part of Bordlands were sold by John Aitken to James Murray of Craigend, who gave them in the following year to his eldest son James, well known in the county as James Murray of Callands. He married Marion Tweedie (Dreva), and dying in 1867 was succeeded in Callands by his son James. He married Isabella Mackie, and in 1867 divided Callands between his two sons, James and John Mackie Murray, which in 1883 they returned to their father, who in that year sold Callands to Sir William H. Gibson Carmichael of Skirling, whose family, as we have seen, held the superiority. Sir William, who gave the property the same year to his two sons, Thomas and George, in liferent, died in 1891, succeeded by the said Thomas (afterwards Lord Carmichael of Skirling), who feued Callands to his brother George (p. 230). He died in 1903, and was succeeded by Lord Carmichael (then Sir Thomas), who sold Callands (including the superiority) in 1910 to Henry Dubs Lorimer, for £9500. Mr. Lorimer sold the estate in 1919 to Major Edward Gordon Thomson, M.C., who now resides there.

The present rental is £420.

#### SCOTSTOUN

The estate of Scotstoun <sup>1</sup> lies to the north-west of Drochil on the western slope of Henderland Hill, along with its pendicles of Scotstoun Bank, Scotstoun Rig and Knock-knowes. Its name is said to be derived from its having been the cradle of the race of the Scotts of Buccleuch

<sup>1</sup> There was another place of the same name in the parish of Eddleston, near Cloich.

(see p. 181). Walter Scott of Satchells, who wrote a rhyming and the earliest history of that family (1686) says :

"It was called Scotstoun Hall when Buccleuch in it did dwell,  
Unto this time it is called Scotstoun still.

There is three towers in it so mounted high,  
And each of them had their own entry.  
A sally door did enter on,  
Which served all three, and no man ken'd  
When Buckleugh at Scotshall kept his house."

How or when the Scotts left Scotstoun does not appear, but they still retain their connection with Kirkurd.

#### LINDSAY OF SCOTSTOUN

Scotstoun was owned in superiority by the Earls of Morton as part of the barony of Newlands, the lands being held blench for payment of 1d. Scots, and in the fifteenth century the right of property belonged to the family of Lindsay of the Byres. The earliest reference is in 1405, when Harry Livingstone of Blyth granted to Sir John Lindsay (afterwards first Lord Lindsay) as proprietor of Scotstoun the right of pasturage on the common of Blyth. Patrick Lindsay of Kirkforthar, the fourth Lord, died in 1526, and was succeeded by his grandson, John, as fifth Lord, who had a precept of *clare constat* in that year from James, third Earl of Morton. The fifth Lord Lindsay was one of the four nobles to whom the charge of the infant Queen Mary was committed in 1542. He commanded the Scots army at Ancrum Moor in 1544, and dying in 1563, was succeeded by his eldest son, Patrick, who had a precept of *clare constat* in 1564 from James, fourth Earl of Morton. Patrick, the sixth Lord, was Lord Provost of Edinburgh in 1580, and was concerned two years later in the raid of Ruthven. He died in December, 1589, but a few months before he resigned Scotstoun to his son James, Master of Lindsay, afterwards seventh Lord. David Lindsay of Kirkforthar,<sup>1</sup> a brother of the fifth Lord, had also right to the lands, perhaps as a sub-vassal, and lived to a

<sup>1</sup> On 25th January, 1558-9 William Stanhope, elder, offered himself, at the command of his master, David Lindsay of Kirkforthar, as he alleged, to stand by the decision of two neutral yeomen anent the kindness of his father's steading in Scotstoun, but John Stanhope, William's half brother, and Helen Geddes, his mother, refused to bind any of their steading in arbitration save to the Laird's court alone, although he agreed to accept the decision of two neutral yeomen anent all debts between them. This was done in the parish kirk of Kirkurd, witnesses being Sir John Forrest, rector of Skirling, Sir Adam Colquhoun, rector of Linton, Sir John Bullo, Sir Robert Hoip and Sir John Allan, chaplains, and James Geddes of Ladyurd. John Stanhope was still there in 1560, when William Lawson, indweller in Scotstoun, made choice of his curators.

great age. He conveyed his rights in 1589, with consent of John, his son, and Patrick, his grandson, to the said James, Master of Lindsay, and to Mr. John Lindsay of Menmure, one of the Lords of Session.

#### TWEEDIE OF SCOTSTOUN

In 1589 the Master of Lindsay granted a conveyance to Mr. John Lindsay of Menmure, and his wife, Marion Guthrie, who in 1590 sold Scotstoun to Adam Tweedie of Dreva. This proprietor was succeeded in 1607 by James Tweedie of Dreva, and he in 1616 transferred the property to his brother, William Tweedie, then in Muirburn.

In 1621 William Tweedie of Scotstoun was charged along with Thomas Tweedie, his brother, with being art and part with their brother, James Tweedie, sometime of Dreva, in an assault upon John Murray of Halmyre (p. 31). They were imprisoned in the tolbooth of Edinburgh, but were set at liberty during the sitting of Parliament on condition that they did not leave the city and that they returned to the tolbooth on Parliament's rising, and that they would do so James Russell in Easter Know of Stobo became their cautioner. William Tweedie was called in the action of reduction by the Earl of Traquair in 1634 (see p. 118), but he produced his titles, and the action as against him was departed from. William Tweedie was still in Scots-toun in 1637, and wadset his lands in that year to Hector Douglas, portioner of Linton, and Hector Douglas, his son; and in 1643 he again wadset them to William Douglas of Spittalhaugh,<sup>1</sup> but redeemed them from him in the following year.

#### BROWN OF SCOTSTOUN

After the Tweedies Scotstoun came into the hands of the Browns, and from 1649 to 1683 mention is made in various deeds of George Brown of Scotstoun. On 26th April, 1653, he was decerned to pay to William Porteous in Glenkirk £28 18s. for one horseman of thirty which should have been raised by the shire for the third levy under Major James Cranston in 1650; and in the same year on 25th July he and Marion Tweedie, his wife, wadset the lands of Scotstoun for 4500 merks to William Russell of Slipperfield and Alison Brown, his spouse. The Privy Council in 1661 named him on two commissions for the trial of witches in Peeblesshire. On 7th June, 1662, he was appointed factor and chamberlain for William, Lord Drumlanrig, and for John, Earl of Traquair, for dealing with their heritages in the lordship of Newlands; and on 20th December, 1670, Archibald, Lord Rutherford, chose him as his bailie and chamberlain over the baronies of Newlands and Linton for uplifting his rents thereof. In addition to these, Anne, Countess of Traquair, on 22nd April, 1676, made him

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<sup>1</sup> The wadset to William Douglas, dated 1st December, 1642, was written by Robert Colquhoun, schoolmaster in Scotstoun.

her chamberlain and factor of her lands in Tweeddale and Forest of Teviotdale, with power to hold courts and administer justice, etc. As George Brown's wife was a Marion Tweedie it is not improbable that his accession to Scotstoun was in some way connected with his marriage to her.

There is on record the service on 22nd May, 1662, of Mr. Thomas Burnet, M.D., as heir of Mr. Thomas Burnet of Crimond, Senator of the College of Justice, his father, in the lands of Carlops, Bogend and Scotstoun. This may have been in consequence of some debt; and there was certainly debt due to James Naesmyth, eldest son of Sir Michael Naesmyth of Posso, for he obtained on 3rd November, 1665, a charter from the Crown of the lands of Bogend and Scotstoun which he had appraised from George Brown.

John Brown of Scotstoun succeeded his father. In 1682 he was complained upon by James Alexander, an elder, for using rude language to him, and apologised. On 24th May, 1683, he was infeft as his father's heir in Scotstoun on a precept by John, Earl of Tweeddale, James Brown, indweller in Scotstoun, being a witness, and another being James Lawson of Cairnmuir whose daughter Elizabeth he married (contract dated at Ingraston, 17th October, 1681), and who was at the same time infeft in an annuity out of Scotstoun. In 1684 John Brown was ordained to pay to the chamberlain of the Earl of Tweeddale the sum of £216 as his tack teind duty; and in the following year William Russell in Wester Haprew, who had married his sister, Katherine Brown, but had received no part of her father's patrimony, sued him for the same, and the matter being referred to the arbitration of James Naesmyth of Posso and James Chisholm of Hairhope, they met at the Kirkstoun of Manor and adjudged him to pay to his brother-in-law 500 merks. He refused and appealed to the sheriff, and the sheriff decerned in his favour. John Brown was dead before 28th March, 1699, when James Brown, eldest lawful son of the deceased John Brown of Scotstoun, was a witness to a deed at Kirkurd; and on 30th March, 1702, Elizabeth Lawson, his widow, granted a tack of the lands of Bogend to Richard Paterson in Cringletie, James Brown, her son, being a witness.

#### GEDDES OF SCOTSTOUN

James Brown of Scotstoun succeeded his father in 1699, and sold the property in 1724 to Robert Geddes, apothecary in Edinburgh, for £12,094 Scots,<sup>1</sup> who thereupon became Robert Geddes of Scotstoun, and as such sold Bogend in 1727 to William Veitch, W.S. Robert Geddes died in Edinburgh on 19th April, 1742, and his testament was given up by his brother, James Geddes of Rachan and other creditors. He had married Janet Murray, and she died in the same year. She had been a widow when he married her, as she had a daughter, Mar-

<sup>1</sup> This price is stated to have been 20½ years' purchase of the free rental and teind.



garet Plenderhall, married to Alexander Thomson, writer in Edinburgh, and also a grandson named John Semple. By her Robert Geddes had an only child, David Geddes. James Geddes of Rachan acquired his brother's lands along with Callands for £4000 in 1740.

#### TELFER SMOLLETT OF SCOTSTOUN

James Geddes sold Scotstoun in 1749 to Alexander Telfer of Symington for £24,748 Scots, who conveyed it the same year to his elder son, Alexander, subject to a liferent of certain portions to his wife, Jean Smollett.

Tobias Smollett, the novelist and historian, was a brother of Jean Smollet, the wife of Alexander Telfer. From his *Memoirs* it appears that he made a visit to Scotstoun, where his mother was living with her daughter, Mrs. Telfer, and as he had been sixteen years out of Scotland it was planned to surprise the old lady by introducing him to her as a gentleman from the West Indies who was very intimate with her son. The better to support his assumed character he maintained a serious countenance approaching to a frown, but when her eyes were with the instinct of affection upon him he could not help smiling. She immediately sprang from her chair and threw her arms round his neck, exclaiming : " My son, my son," and afterwards told him that his old roguish smile had betrayed him. Dr. Chambers is of opinion that the novelist's nephew, Alexander Telfer, younger of Scotstoun, was the original of the character, Jerry Melford, in his novel, *Humphrey Clinker*.

On the death of her cousin, James Smollett of Bonhill, in 1775, Mrs. Telfer succeeded to that property, which required her to resume her maiden surname of Smollett, and her eldest son assumed the same surname. He married Cecilia Renton, eldest daughter of John Renton of Lamberton, and from her the town of Renton in the Vale of Leven takes its name.

#### MACKAY OF SCOTSTOUN

On 3rd November, 1787, Alexander Telfer Smollett of Symington sold Scotstoun to Captain Æneas Mackay of the East India Company for £7000. He on 23rd June,



1796, made an excambion with John Carmichael of Skirling, who was already proprietor of the lands of Knockknowes,<sup>1</sup> whereby for 29 acres, 3 roods and 27 falls of these lands Mackay gave him a part of Scotstoun Muir of equal value, the equivalent to be determined by James Veitch, tenant in Mersington, James Murray in Flemington Mill, and William Oman, schoolmaster of Peebles as land-surveyor; and in the deed, which is dated at Kirkurd, the boundaries of the exchanged lands are particularly set down. Between 1805 and 1807 Captain Mackay sold Scotstoun to Sir Thomas Gibson Carmichael for £20,000, a sum, remarks Dr. Chambers, about ten times greater than that at which it had been acquired by Alexander Telfer in 1749, and nearly thrice what his son sold it for in 1787. Captain Mackay left Scotstoun in October, 1807, and died in the following month in his house in Charlotte Square, Edinburgh, and was buried at Newlands on Saturday, 23rd November, with considerable difficulty, owing to a heavy snowfall. His wife and his brother, Colonel George Mackay, are also buried at Newlands. The last representative of the main line of the family<sup>2</sup> was the late Rev. James Mackay (a great-grandson of Captain Æneas Mackay), who resided at Wigley, near Ludlow in Shropshire, and died in 1926. His cousin, Dr. George Mackay, 26 Drumsheugh Gardens, Edinburgh,

<sup>1</sup> Another name for the Mill and mill-lands of Scotstoun. It is also the old name for the village of Blythsbridge (p. 177). The lands are in the parish of Newlands, and one tenant was George Elder. He died prior to 1771, leaving a widow and two sons named John and William.

<sup>2</sup> Captain Æneas Mackay was twice married, and a note of his descendants is given in *The Book of Mackay* (pp. 337-338), by the Rev. Angus Mackay, published in 1906. His second son Thomas G. Mackay, W.S., was one of the original partners in the firm of Lindsay, Howe & Co., of Charlotte Square, and was the father of the late Æneas J. G. Mackay, K.C., LL.D., who was Professor of Constitutional History in the University of Edinburgh from 1874 to 1881. One of Captain Mackay's daughters, Isabella, married Hugh, second son of Sir Archibald Hope of Pinkie, while her youngest sister Helen, by her marriage with Sir David Moncreiffe, became the ancestress of Sir Robert Moncreiffe, Bart., as well as of the present Duke of Atholl.

The miniature reproduced is by an unknown artist, and is in the possession of Dr. George Mackay of Rutherford. Owing to the poise of the head there is only a faint indication of the severe wounds he had on the right cheek.

has recently purchased the estate of Rutherford (p. 134) in the parish of West Linton.

## THE PRESENT PROPRIETORS

Scotstoun thus became part of the estate of Castlecraig (p. 188) and was purchased in 1905 by Mr. James Mann. A part of it has recently been sold by him, including the dwelling-house, to Major John Lawrence Wood, R.A.M.C., of Edinburgh Castle.

The present rentals are:—Mr. Mann's part, which includes the farms of Scotstounrig and Scotstounbank, £332 15s. 6d.; and Major Wood's part, £144.

## CHAPTER II

### THE PARISH OF WEST LINTON<sup>1</sup>

#### I

THIS parish, which lies at the north-west extremity of the county of Peebles, contains an area of 23,257 acres, and a population of 1,292.<sup>2</sup> The rental is £28,948.<sup>3</sup> It is bounded on the north and north-east by Midlothian, on the east by the parish of Newlands, on the south by the parish of Kirkurd, and on the west by the parishes of Dolphinton and Dunsyre in Lanarkshire. The boundary on the north and north-west is formed by the ridge of the Pentland Hills. The principal stream is the Lyne Water, which rises in the Pentlands near the Cauldstane Slap and runs southward through the village of West Linton, receiving from the west the Baddinsgill burn and the West Water (formerly called Pollentarf), and from the east the Cairn or Dead burn (now more commonly known as the Black burn). The western part of the parish is drained by the Medwin,<sup>4</sup> which flows

<sup>1</sup> The late John Ritchie, Coalbrookdale, Shropshire, kindly agreed, when asked by the editors, to write the chapter on West Linton. His knowledge of the district made him peculiarly well fitted for the work, but unfortunately his death prevented its completion. I gratefully acknowledge my indebtedness to the notes which he left. I am also grateful to Mr. John Sanderson, West Linton, who has read part of the proofs and supplied me with information.

<sup>2</sup> The figure in 1777 was 1,003; in 1791 it was 928; and in 1831, 1,577 (the increase was caused by labour required for the new turnpike road).

<sup>3</sup> In 1863, £10,170 7s. 9d. A very large part of the increase is due to the valuation of the water pipes from Talla to Edinburgh which pass through the parish from Blythbridge by Spittalhaugh and Whitfield.

<sup>4</sup> It is interesting to note that the Medwin is the only stream in Peeblesshire which flows westwards to join the Atlantic. Its source is formed by the Garvald burn, which rises in the parish at the

northwards and turns to the west to join the Clyde, and by the Tarth, which joins the Lyne at Drochil Castle. On the north-east the boundary is the North Esk, which receives one or two small tributaries from the parish, the principal being the Carlops burn, which, before reaching the North Esk, is joined by the Harlawmuir burn.

On the lands of South Slipperfield are three lochs, one <sup>1</sup> about 1½ mile in circumference which is said to be the source of the Tarth. The parish abounds in excellent springs of water. One of these at Rutherford, less than two miles south of Carlops, is a mineral spring called "Heaven Aqua," now corrupted into Heevie Nickie.

The central part of the parish is an extensive plain which in early days was little better than a morass, but by skilful drainage and perseverance the waste ground has been converted into large and well-cultivated farms. Agriculture is the principal industry, but it was not always so, for lead and coal mining were carried on, also stone quarrying and weaving.

The Leadlaw hill above West Linton received its name from the mining for lead ore which went on at a spot called Sillerholes, on its north side. The industry was undoubtedly a very old one, and "the seme of lead at Lyntoun called silverhoiles" is referred to in 1592 in connection with proceedings for a reduction of the lease. There is a local tradition that the mines at Sillerholes, the Lead Flats, and Jenny Barry's Cove near Carlops, were all worked about 1550, and the ore exported to Holland, free of duty, where

foot of Mendick hill. The course of this burn is along the top of the watershed, with the curious result that it splits into two, one part joining the Medwin and reaching the Clyde, the other flowing into the Tarth and the Tweed. It has been stated that salmon have been caught in Clyde above the falls, and it is suggested that this is accounted for by the fact that salmon from the Tweed can reach the Clyde by the Garvald burn, the spot being called the Salmon Leap (Armstrong, *Companion*, p. 60). But if Tweed salmon can reach the Clyde it is more likely to be by Biggar Water in the parish of Broughton, Glenholm and Kilbucho (see p. 246; also *Biggar and the House of Fleming*, p. 101).

<sup>1</sup> The other two are called the Wee Loch and Lauder's Loch, the last named derived by tradition from a neighbouring proprietor (probably one of the Lauders of Blyth), who was drowned there while shooting.

the silver was extracted. The last regular working was in 1753 by Ronald Crawford & Co. of Leadhills. In 1828 the Earl of Wemyss and March employed men to clear out the workings with the view of ascertaining whether the mines could be run profitably. The expense proved to be too great.

The coal seam in the parish extends from Carlops through Harlawmuir and Whitfield, and it is only about 60 feet below the surface of the ground. There were pits at Harburn Craig, at Coaly burn (a small tributary of the Cairn burn) and at Harlawmuir. The coal was found in two beds with a stratum of sandstone between, the total thickness being about four feet, of which two were stone. Before the days of the railway these small pits had no competition, as the large mining centres were some distance away. At Carlops and at Coaly burn the price of coal in 1791 was about 3½d., and in 1834 5d. per cwt.

Freestone quarrying at Deepsykehead at the north end of the property of Whitfield was once a flourishing industry. When it was begun there is no record. Early in the nineteenth century it was carried on by Thomas Scott, and it was taken over in 1841 by Charles Lawson and carried on till his death in 1873. Deepsykehead stone was well known and extensively used. The house at Glen is built from it, and at that time Lawson employed about 100 men, and had a yard at Peebles for local trade. The stone is white, but tinged here and there with yellow.

There was also a quarry of red sandstone on Broomlee Hill; and a lime quarry at Whitfield near Deepsykehead, from which (1834) 20,000 bolls were disposed of in a season at 1s. 6d. per boll. The lime was considered of excellent quality.

Weaving was a very old industry. In 1791 there were two dozen looms in West Linton: in 1838 there were 38: an article in the *Peeblesshire Advertiser* in 1899 states that West Linton in 1840 was regarded as a weaving village.

“Upwards of 40 wrought regularly at stripes, checks and gingham for houses in Glasgow. Then in addition to this, there were three or four families engaged in customer weaving or country work. Now



there is not one single loom going in the village or in any part of the parish. The wages realised for cotton weaving were finally very small. . . . The last person who acted as "weaver's agent" was Alexander Anderson, his predecessor being John Sanderson, who filled the vacancy from 1844 till 1852, and previous to this the names associated with the business were Andrew Hope, James Smith, and earlier still, Archibald Alexander. Under these conditions of the weaving trade many of the older men, who continued at the loom, being unable for any other work, eked out an old age in great poverty."<sup>1</sup>

Near the bridge over the North Esk at Carlops a factory was started in 1810 for carding and spinning wool, but it did not continue long. Blythbridge in 1833 had still a few old weavers who lamented the days gone by when men wore hodden grey—dyed, spun, and woven in the village.

In the village of West Linton and the districts round the women carried on an industry of their own—spinning wool into yarn. They got the wool in the form of rovings or rowins from the carding mill. These were loose, fleecy cords about the thickness of a finger, which were spun on "the muckle wheel."<sup>2</sup>

In 1804 a lint mill was erected about half a mile up the Lyne above Lynedale Bridge: it is only a ruin now. The last miller, Alexander Davidson, died in the village in 1858, aged eighty. There were corn mills at Spittalhaugh, Blythbridge and Upper Whitfield.

The road from Edinburgh to Carlops, West Linton, Dolphinton and Biggar, so far as it lies in the parish, was formed in 1831 by authority of Parliament, taking the place of an older road which crossed the Lyne at Lynedale near the Sillerholes and skirted the foot of Mendick Hill.

<sup>1</sup> Many of the weavers and masons were also skilled in the making of heavy boots suitable for farmers, shepherds and ploughmen, and the district acquired a reputation for the excellence of these boots. That industry continued during the nineteenth century. In 1908 there was still one of these bootmakers in the village of Linton, but he disappeared on a November morning of that year and was not heard of again.

<sup>2</sup> This was a wheel about 4 feet in diameter mounted on a wooden frame, a cord passing over it and over a small pulley on a spindle which revolved at a great speed. The spinner turned the large wheel with one hand, and in the other she held the roving, guiding it on the spindle, the rapid motion of which stretched it into yarn.

This old route is said to have been originally made by the Romans, and the gradients were awkward, especially at the Lyne crossing. From West Linton a road leads southward to Blythbridge and Moffat, and another past Broomlee and Halmyre to the road between Leadburn and Peebles. These were made about 1756. There is an old drove road from West Linton up Lyne Water and over the Cauldstane Slap, down which drovers from Falkirk brought their sheep and cattle, and rested for the night on Linton Green. And there is also a road from the village leading past the farms of Robinsland and Deanfoot by Whitfield, Harlawmuir and Auchencorth to Penicuik.<sup>1</sup>

#### THE VILLAGE OF WEST LINTON

The name Linton is apparently derived from the Celtic *Llyn*—a lake or pool—and the Saxon word *ton*—a village or collection of dwellings. The parish took its name from the village, and this village by the lake must therefore have been in existence from very early times. It was an appropriate name, for Linton then would be surrounded with lakes, pools and marshy land. There is very little that can be said about its history prior to the seventeenth century. It had its church,<sup>2</sup> at least from the time of David I, and its mill, which appears on record in the beginning of the thirteenth century. Situated out of the Border area, it was not disturbed by raids, and had not to endure the hazards of warfare. The great family of Comyn were the first to hold sway, and they were succeeded by the Morton Douglasses. From an early date the land round the village was

<sup>1</sup> Other roads of less importance may be mentioned—one from Hartside, Carlops, by way of South Mains, Whitfield and Old Deep-sykehead, to Macbiehill; another, a moorland track which leaves the road beyond Boggsbank, crosses a small inset of Newlands parish, and leads through Blythmuir to Blyth farm and Blythbridge, passing the site of Longstruther hamlet; another which leaves the Dolphinton road at Medwyn Cottage, leads past Felton farm, and joins the former road at Blyth farm; and, lastly, a track round the back of Mendick between North Slipperfield and Ferniehaugh.

<sup>2</sup> The present church was built in 1782 and the manse in 1779. The original church was on the north side of the present churchyard, where the Spittalhaugh aisle is now situated.

let out in oxgangs or oxgates, and ten of these are referred to in 1376. There was a peel tower at Linton, still in existence in 1600, but no trace of it is left: perhaps it stood on the spot now called Castlelaw, and it may have been used by the Regent Morton and his predecessors before Drochil Castle was built.

The village has had no part in the great events of Scottish history. Edward I of England is said to have visited it on 21st August, 1298, on his way to Ayr. On 21st February, 1302, Sir John Comyn and Sir Simon Fraser of Neidpath would pass through the district, with their hastily gathered forces, on their way to the battle of Roslin. James IV knew the village. On 21st October, 1490, he was in Edinburgh, and twenty unicorns (gold coins of the value of 18s. each) were handed to him "the saim nycht efter super," when he rode to "Lynton." On 25th November the King was in Linlithgow, and a sum of £5 6s. 8d. was paid "for a horse boycht in Lythgow" for his use in riding to Linton. It is said that Charles X of France, when in exile and living in Holyrood House, sometimes lodged in the Brighous Inn (now part of Medwyn House), which he found convenient for the shooting on the Slipperfield moors.

In 1631 Linton was erected into a burgh of regality, and had power to hold fairs and markets. The Linton markets were originally held at Bridgehouse, but they were removed by the Earl of Teviot (p 119) to a site on the west side of the village. These markets, the customs of which were claimed for a time by the Town Council of Peebles,<sup>1</sup> were well known up to the first half of the nineteenth century, "for the short-bodied, black-faced and legged, horned and coarse-woolled sheep, called the *Linton* breed." Of these sheep 30,000 were sold annually "to be driven to the Highlands, Ochil hills in Fifeshire, etc."<sup>2</sup>

The village having assumed the important status of a burgh of regality, its affairs had to be conducted in proper order. A bailie and officials were required, and rules were

<sup>1</sup> See vol. ii. p. 190.

<sup>2</sup> Pennecuik: *Description of Tweeddale*, 2nd ed., p. 157.

framed for the conduct of business and the management of the lands in the vicinity of the burgh, which were held by several portioners, and occupied by various tenants. There is still in existence a manuscript record<sup>1</sup> of "Acts of Neighbourhood" made by the "Heretors and Tennents of Lintoune" on 1st June, 1678, "for escheuinge of disorders and confussions." The bailie for that year was "Mr. Isaac Quitlaw," the clerk was William Younger, and the officer of court William Tweedie. The Court was held on Saturdays at 6 p.m. There are detailed provisions for the management of the commonty, preventing encroachments, the herding of cattle, and hiring of horses. To prevent confusion in the court no man was allowed to speak "without he be required," and to curse or swear there made the offender "lyabell to pay six penss." This record continues till 1681, when James Younger was bailie and John Russell the officer.

Pennecuik writes:

"There are several Portioners of this town holding feu of the Superior: the eldest whereof were the Douglasses, Tweedies and Giffards, now quite decayed in this place. The oldest possessors now are the Youngers and the Alexanders who still retain their old inheritance."

One of these Linton lairds or portioners was James Gifford,<sup>2</sup> usually called Laird Gifford, who was a stone mason in the middle of the seventeenth century. The lands which he held in Linton are dealt with later (p. 130). He is said to have been a brother of the Laird of Shirefhall near Dalkeith. His wife was Eupham Veitch,<sup>3</sup> said to be of the Dawyck family. To commemorate his wife and family he erected in 1666 a statue in the village which served as the market cross. It was according to Armstrong (but it was almost in ruins in his day) "a lively specimen of natural genius without the assistance of art." On the pedestal his

<sup>1</sup> This is in the Museum of the Chambers Institution, Peebles.

<sup>2</sup> See *Proceedings of Society of Antiquaries of Scotland*, vol. xviii., which contains an article on James Gifford, by Thomas Ross, F.S.A. (Scot.).

<sup>3</sup> After her death it is said that he married Jean Brown, but she was perhaps the wife of his son James.



wife was represented "in a devout posture . . . with four infants round her, and a fifth on her head." The position of the fifth child amused eighteenth-century visitors, and a reason has been found.

The story is that when Gifford designed his statue he had four children. These he placed at each corner of the pedestal, the figure of his wife occupying the centre. But before the statue was finished he became the father of a fifth child.

"On the one hand justice pride and affection all called aloud in support of the infants right to a place on the monument. . . . On the other the public exhibition of another child—how was it to be accomplished without destroying the regularity of his building, and handing down to future ages his apparent ignorance of the most essential rule on architecture? After much profound debate . . . every difficulty was at last happily reconciled and brought to an amicable settlement by placing the sculptured figure of the new production on its mother's head! from whence with perfect and sublime regularity it rose from the centre towering above and crowning the 'lively fabric' in evidence of its father's ingenuity as if, like a little Minerva, it had just sprung from her brain."<sup>1</sup>

And this writer goes on to tell us how the children<sup>2</sup> in succession fell down, but a small portion of Gifford's wife remained in the middle of the "sub-metropolis" with her arms raised from the elbow, and her hands joined before her breast:

"thus far in a devout attitude it is true, but otherwise decked out, excepting the coronet in all the finery of a duchess of the seventeenth century, with lions *couchant* in bold relief, round the frieze of the pedestal, under her feet."

In 1861 the pedestal was rebuilt, with the original figure of "Lady Gifford," but, needless to say, without the children. It bears the inscription, "The Lady Gifford's Well, Erected 1666, Renewed 1861."

Laird Gifford was succeeded about 1680 by his son James, whose signature appears in the kirk-session records about 1690. He had a son George (p. 130), after whom

<sup>1</sup> *The Gentle Shepherd*, 1808, edited by Robert Brown of Newhall.

<sup>2</sup> One of the effigies is in the possession of Mr. Fraser, chemist, West Linton.



there is no further trace of the family. Their dwelling-house, which stood on the main street immediately to the south of a house now known as Carved Stone Cottage,<sup>1</sup> was removed in 1862.<sup>2</sup> It was a two storey building decorated with several sculptured slabs, the work of Laird Gifford himself.

The lairds and portioners of Linton during the latter part of the seventeenth century seem to have amused their contemporaries. Pennecuik, beyond the extract already quoted, tells us nothing about them in his *Description of Tweeddale*. But one of his poems is an address to the Prince of Orange from the "*Portioners and Inhabitants of the Famous Toun of Lintoun, Sub-metropolitan of Tweeddale*," in which he finds scope for his humour and ridicule at the expense of the lairds, some of whom are named:

"Laird Isaac and Hog-yards,  
James Giffart and the Lintoun lairds,  
Old William Younger, Geordy Purdie,  
James Douglas, Scroggs and Little Swordie;  
And English Andrew, who hath skill,  
To knap at every word so well."

This address craves for remission from the cess and excise duties:

"If you'll not trust us when we say it,  
Faith, sir, we are not able to pay it,  
Which make us sigh when we should sleep,  
And fast when we should go to meat:  
Yea, scarce can get it for to borrow,  
Yet drink we must to slocken sorrow,"

and also that:

"For brave Earl Tiviot's " <sup>3</sup> sake,  
Who had great kindness for this place,  
You'll mene the Duke <sup>4</sup> our master's grace  
To put a clock upon our steeple."

<sup>1</sup> So called because of a panel on the west gable, said to be the work of Gifford. When the cottage was rebuilt about fifty years ago the panel was discovered above a mantelpiece behind the plaster.

<sup>2</sup> Gifford's house was replaced by the two-storey block opposite the Post Office. In the upper flat was at one time a library for the use of the village.

<sup>3</sup> See p. 119.

<sup>4</sup> William, first Duke of Queensberry, who purchased the Linton lands from the Earl of Tweeddale (see vol. ii. p. 305).

It was also desired that the Duke should "mend and causey" the street:

"The market customs well may do it:  
For of himself he is not rash,  
Because he wants the ready cash."

The address is signed by

William Younger of Hog-Yards  
In name of all the Lintoun Lairds.

and there is nothing in the poem (which is of little merit) to inspire unkindly feelings towards these honest lairds, who were not burdened with too much of the world's goods. But according to Pennecuik's annotator in 1815 (Robert Brown of Newhall):

"The numerosity, pettiness, pride, contempt of industry and consequent poverty of the lairds and portioners about Lintoun have always been the subjects of amusement and ridicule. It is a standing joke in the county that at one time there were no less than *five and forty* of them, and that of these *fifteen* got assistance from the Poores' Fund; or as it is generally expressed there were forty-five Linton lairds, fifteen of which were *on the box*.<sup>1</sup>

The principal house in the village in Pennecuik's time was the Hall,<sup>2</sup> which stood facing east, on the garden ground between the present U.F. Church (formerly called the "meetin' hoose") and the Somervail School.<sup>3</sup> It was possessed by James Douglas, descended from a family which had been for many years in occupation of Spittalhaugh. He owned land in and adjoining the village, and was the superior of a number of houses which had been erected on his property. Some of his feuars held on a peculiar tenure—"that they shall pay a plack ( $\frac{1}{8}$  of 1d.) yearly, if demanded, from the hole in the back of the Hall House in Lintoun."<sup>4</sup> To this day one at least of the houses in the village is entered in

<sup>1</sup> Pennecuik: *Description*, p. 160.

<sup>2</sup> It was removed in 1833, and was then a thatched house of two storeys. A detached part with a stone arched roof, used as a milk-house, and then for keeping coals in, was in existence till 1857.

<sup>3</sup> James Somervail of Moreham died in December, 1826, and bequeathed money for the erection of a school in West Linton: the school was opened in 1862 (Chambers: *History*, p. 462).

<sup>4</sup> Pennecuik: *Description*, p. 160.

the Valuation Roll with a feu-duty of two placks, but needless to say they are never asked for. The property held by James Douglas is now part of the Medwyn estate.

Laird Gifford's statue formed the market cross for Linton, and stood in the centre of the village. On the west side was Linton Green and the church and manse. North of the village was Leadlaw Hill, and there was a brewery and a tannery on the upper Green. Between the Cross and the Green was the smithy, where many a jovial meeting was held, for Linton was noted for its brew of ale. The smith himself was a noted character, and gives Pennecuik the opportunity for another tilt at the lairds in "*The Lintoun Cabal*," which has the explanatory sub-title—" *The jovial smith of Lintoun's invitation of his club to their morning's draught whom he had made drunk the night before, after a great storm.*"

"Call here James Douglas of the Hall,  
And all the rest of that cabal,  
Let's rant and merry be."

As Linton was the nearest town to Carlops and Newhall, it is doubtless the strong ale brewed there that is referred to in *The Gentle Shepherd*:

"I'll yoke my sled, an' send to the neist toun  
An' bring a draught o' ale baith stout and broun.

(Act 2, Scene 1).

Tradition has it that one of the old houses in Linton was built on Saturday evenings in 1578 by the masons who were engaged in building Drochil Castle. It was occupied for several generations by a family of Melrose, and the walls were four feet thick.

The old schoolhouse was near the Cross: the school was on the ground floor, and the house above was supported by two rows of wooden columns in the school-room. There has been a school in Linton since the middle of the seventeenth century. In 1791 the schoolmaster's salary was £10 with a house and garden. He had about 40 scholars, and the fees were 1s. 2d. per quarter for English and 1s. 6d. for arithmetic, writing and Latin. In 1834 Thomas Brown was the

schoolmaster with a salary of £34, and fees of 2s. per quarter for English and 2s. 6d., 3s., and 5s. per quarter for writing, arithmetic and Latin. The number of scholars then was about 100. He was succeeded by Robert Millar. William Porteous, who was schoolmaster prior to 1790, became later the first minister of the combined parishes of Kilbucho, Broughton and Glenholm.

The population of the village in 1777 was 353; in 1791, 351; in 1834, 395 (90 houses): it is now (1921 census) 610.

In the beginning of the nineteenth century Linton, like other districts in the county, had its company of Volunteers, and beacons were prepared on the hills round about, ready for lighting. There was a false alarm on the night of 31st January, 1801, that the French had landed. The Linton Volunteers turned out to a man, paraded on the Green and then marched to Dalkeith. Their captain was Æneas Mackay<sup>1</sup> of Scotstoun. (p. 93).

In Pennecuik's time and later the surroundings of Linton were practically treeless, and the ground, especially north of the village, was little better than a marsh; but the proprietors in the early part of the nineteenth century, with admirable zeal, set themselves to develop their lands and improve the appearance. Much money was spent, but the result was admirable, and Linton to-day is a village of beauty.

Robert Burns visited Linton, where he had a friend named Graham, the innkeeper at Bridgehouse. Twice he came, but never found his friend at home, so he scratched these words on a window pane in the inn—"Honest Graham, aye the same, never to be found at hame."

In 1820 and subsequent years the country was alarmed by tales of the Resurrectionists. In Linton a watch-house was erected at the north-west corner of the churchyard, and was not removed till 1869. There still exists the old flint-lock gun kept by the watchers, but according to tradition it was only once used—to some effect, however, as bloodstains were traced from the churchyard and up the loan. Those

<sup>1</sup>He was presented with a sword of honour from his company. It bears the date, 1st January, 1802, and is now in the possession of Dr. George Mackay of Rutherford (p. 136).



meetings in the watch-house, after the scare had passed, became rather convivial, and stories still linger in the district about them.

The first sub-postmaster in Linton, Archibald Alexander, merchant, was appointed in 1831-2. In December, 1857, the Bank of Scotland opened a sub-branch in the village, and Mr. Alexander was appointed agent. This branch was placed on an independent footing in April, 1866, with Mr. Alexander and his son John as joint agents.

In 1854 a small company was formed for the purpose of lighting the village with gas, and a gaswork was erected on the public green. Acetylene gas was substituted in 1902, and more recently petrol gas.

In 1861 a corps of Volunteers was formed, and was in existence for a few years. Their uniform was light grey with blue facings.

It is said that Linton had a brass band in 1815 which played through the village after the news of Waterloo. How long it lasted there is no record to show. Another band was formed about 1850, and a third about twenty years later, which was in existence till about 1880, and of which there are still three survivors. There is no band in the village at present.

The sanitary condition of the village was improved in 1863, and attention was given in 1875 to the providing of an effective water supply. The first supply was brought from the spring "Rumlin Tam" to a tank on the hill above the Townhead. About twenty years later that supply became insufficient, and water was brought from North Slipperfield in 1896.

The coming of the railway in 1864 did much to increase the popularity of West Linton as a holiday resort, but it has had no effect in developing trade or industry. The railway runs from Dolphinton to Leadburn, joining there the line between Peebles and Edinburgh. Originally managed by a special company for the purpose, it was taken over by the North British Railway Company, now the London and North Eastern Railway Company. From Dolphinton westwards a line runs to Carstairs and Glasgow under the management



formerly of the Caledonian Company, and now of the London, Midland and Scottish Railway Company.

There is a good nine-hole golf course near Slipperfield in the vicinity of the village; it was laid out in 1870. In addition there are now a bowling green and tennis courts.

West Linton is a very popular place in the summer, and within the last thirty years many houses for visitors have been built in the village, along the roads to Carlops and Dolphinton, on the Bogsbank road, and towards Broomlee station.

#### THE VILLAGE OF CARLOPS

This village, which lies about three miles north of West Linton on the banks of the North Esk, has not a long history. It was founded in 1784 by the proprietor of Newhall (Robert Brown), and takes its name from the lands of Carlops, which will be dealt with later (p. 124). The district is associated with Allan Ramsay, and the scene of *The Gentle Shepherd* is laid partly round Carlops and partly in Newhall. There are still such place-names as Patie's Hill, Peggie's Lea, and Roger's Rig. At the entrance to the village are two peaked rocks between which the "carline loupèd," this being the popular derivation of the word Carlops.

About 1810 a mill was built near the waterfall for the spinning of wool and weaving of cloth, but it was not successful. In 1834 there were 36 houses and 177 inhabitants. Thereafter the little village was very quiet until 1846, when the North Esk reservoir was formed, and the workers occupied the empty houses. After that work was done the village came into favour as a holiday resort, and has maintained its reputation.

#### BLYTH AND BLYTHBRIDGE

These were only small hamlets situated a few hundred yards apart at the south end of the parish, adjoining Kirkurd. In 1791 Blyth had a population of 54, and seventy years ago it had still three rows of houses. Blythbridge or Knock-knowes lay alongside the Tarth, and there dwelt a small

industrial colony—the smith, the joiner, the tailor, the shoemaker, the dressmaker and the mason—which was the envy and the rival of Blyth.

## II

No definite information reaches us about the parish prior to the reign of King David I. The early name was Linton Roderyck, and it was thus distinguished from the Lintons in East Lothian and Teviotdale. Who the ancient Briton was whose name was in this way identified with the parish will probably never be known with certainty. "He may have been," wrote Dr. Renwick, "no other than Rydderck Hael, the Christian King of Strathclyde (d. 603), . . . or perhaps he was only a local chief holding sway in his limited domain at the head of the Lyne Valley."<sup>1</sup> The name, however, does prove the antiquity of the village, which must have been in existence at a period considerably prior to the advent of the Normans.

The earliest recorded proprietors were the famous Norman family of Comyn, and there is an undated charter between the years 1152 and 1159 by Richard Comyn granting to the monks of St. Mary of Kelso the church at Linton (Lyntunrudderic) with a half ploughgate of land (52 acres).<sup>2</sup> When and how the Comyns acquired lands in Peeblesshire has not been ascertained. It is believed that they took their name from Comines in Flanders. Robert de Comyn who came over with the Conqueror was created Earl of Northumberland in 1109, and was slain with all his followers at Durham in an attempt to take possession of his territories. There must have been many such fights between the old British owners of lands and the foreign invaders. His elder son John, who was killed in the wars between Queen Maud and King Stephen after 1135, married the daughter of Adam Giffard of Fonthill in Wiltshire, left three sons, the eldest of whom, William, was killed in 1142 defending his uncle, of the same name,<sup>3</sup> in the bishopric of Durham. It was William's brother Richard—William

<sup>1</sup> Renwick: *Historical Notes*, p. 15.

<sup>2</sup> *Liber de Calchou*, 226.

<sup>3</sup> This William de Comyn was the younger brother of John, the elder son of Robert de Comyn. He was a churchman and was presented with the bishopric of Durham in 1142, and held it by force against the opposition of the chapter for more than three years. He was so much affected by the death of his nephew that he compromised with his opponents and retired to Scotland, where he was Chancellor to David I (*The Scots Peerage*, i. 503).

himself does not appear to have left issue—who granted the charter to the monks of Kelso above referred to.

This pious donation was made by Richard for the weal of the soul of his lord, the Earl Henry,<sup>1</sup> and for the soul of his own son John, both of whom were buried at Kelso; and it was a condition of the grant that he himself, his wife Hextilda,<sup>2</sup> and their children should be received into the brotherhood of the convent, and be made partakers of its spiritual benefits.<sup>3</sup> The grant was confirmed by King William

## EARL OF COMYN



Azure 3 garbs or.

the Lion, and the benefaction was also ratified by several of the Bishops of Glasgow, and also in 1243-54 by Pope Innocent IV. Bishop Herbert's ratification—he had previously been Abbot of Kelso—was granted between 1160 and 1164, and he attributes the gift to one Dodin. The reason of that may be that Dodin was in occupation of the lands as vassal while Comyn was the superior; and if that were so the abbey was fully secured by a double grant from superior and vassal.<sup>4</sup>

There is another grant on record by Richard Comyn of lands in West Linton. About the same time or before 1165 he conveyed the

<sup>1</sup> Son of King David, whom he predeceased, and father of Malcolm and William, successive Kings of Scotland.

<sup>2</sup> Daughter of Huctred of Tynedale, and grand-daughter of Donald "Bane,"<sup>5</sup> brother of Malcolm III, "Ceanmor." Accordingly, Richard Comyn was a relative by marriage of David I, who was the youngest son of Malcolm.

<sup>3</sup> Renwick: *Historical Notes*, pp. 16 and 17, where the charter is quoted in full.

<sup>4</sup> Renwick: *Historical Notes*, p. 17.

property known as Slipperfield to the Augustine friars of Holyrood,<sup>1</sup> with a similar pious object in view. This property will be noticed more fully later (p. 137). The grant was made with the consent of Hextilda, his wife,<sup>2</sup> and it was witnessed by two of their sons, Odinell<sup>3</sup> and Simon.

Richard Comyn died between 1176 and 1182, when his widow married Malcolm, Earl of Atholl. He was succeeded by his eldest surviving son William, who was twice married. The name of the first wife is not known: his second wife was Marjory, Countess of Buchan, and by marriage with her (in or before 1214) he became Earl of Buchan. Shortly after that he gave to his sister Idonea and her husband, Sir Adam Fitz Gilbert, the lands of Blyth, "Ingolneston" (Ingraston) and Spittalhaugh, which will be dealt with later (p. 161). It is apparent that by this time the lands in West Linton were held by several members of the Comyn family. There is record of a charter granted (before 1210?) by William Comyn of Kilbride, of 8 merks of annual rent, to William Gourlay, payable partly from the Mill of Linton ("Lyntonrothrik") and partly from lands at the village.<sup>4</sup> The Comyns of Kilbride were descended from David Comyn (a younger brother of William, Earl of Buchan), who married Isabella, daughter and heiress of Roger de Vulloniis of Easter Kilbride.

There is no trace of any other charters granted by the Comyns, but they retained their connection with the parish till the time of King Robert the Bruce. William Comyn, Earl of Buchan, had families by both marriages. Richard, the eldest son of the first marriage, was the father of "the Red Comyn No. 1" who succeeded on the death of his uncle Walter in 1258 to the lordship of Badenoch, and became the head of what was perhaps the most powerful family in Scotland at that time. There were no fewer, according to Fordun, than three earls and thirty-two knights of that name. The Red Comyn's second son John was generally known as the Black Comyn, and after the death of the "Maid of Norway" in 1290 was one of the competitors for the crown of Scotland, basing his descent from Donald Bane through his ancestress Hextilda; but he ultimately supported the cause of Baliol, whose sister Alianora he married. His son John, "the Red Comyn No. 2," will always be famous from the manner of his death at the hands of Bruce in Dumfries on 10th February, 1305-6. There was a son John, who fell at Bannockburn fighting for the English; he had a son, Adomar or Aymer, who died young, and with him the end came for the Comyns, Lords of Badenoch, and "there

<sup>1</sup> *Liber Sancte Crucis*, p. 210, No. 5.

<sup>2</sup> This, taken in conjunction with the fact that Hextilda was also associated with the Kelso grant, may provide a plausible enough theory that the West Linton lands came to her husband on his marriage with her about 1145.

<sup>3</sup> Odo or Odinell also witnessed the grant to the Abbey of Kelso.

<sup>4</sup> *Reg. Morton*, ii. p. 3, No. 4.



was no memorial left of them in the land save the orisons of the monks of Deer."

And now another famous family appears on the scene. Early in the fourteenth century the Morton<sup>1</sup> branch of the Douglas family acquire land in West Linton, and gradually through various channels

## DOUGLAS, EARL OF MORTON



**ARMS.**—Quarterly: 1st and 4th argent, a man's heart gules, ensigned with an imperial crown proper, on a chief azure three mullets of the first for Douglas; 2nd and 3rd argent, three piles issuing from the chief gules and in chief two mullets of the field, for Douglas of Lochleven.

**CREST.**—A wild boar proper, sticking in the cleft of an oak tree, fructed vert, with a lock holding the clefts of the tree together, azure.

**SUPPORTERS.**—Two savages wreathed about the head and middle with laurel, holding a club downwards in the exterior hands.

**MOTTO.**—*Lock sicker.*

their possessions increase till they hold practically the whole parish either in property or superiority. Not only so, but they became proprietors in other parts of the county—Newlands, Kilbucho, Lochurd, and the lands of Eshiels in the parish of Peebles.

<sup>1</sup> It was a small holding, Morton, in East Calder, from which the title of this family was taken. The family was an offshoot at a very early date from the great house of Douglas. Archibald of Douglas, the



As early as 1313 William Douglas, son of the deceased Sir James Douglas of Lothian, held the lands of "Quytfeld" (Whitfield) on a nine years pledge from John of Kirkintilloch. This was confirmed by a charter from King Robert I dated 23rd September, 1313.<sup>1</sup> The period was extended for another term of nine years by a charter dated at Lochleven on the vigils of St. Matthew (21st September, 1323); and shortly after that the lands were granted outright to William Douglas, to be held of the Crown.<sup>2</sup> John of Kirkintilloch was one of the Comyn family, probably a son of William, the eldest son of the first Red Comyn.

This William Douglas, known as the "Knight of Liddesdale," was knighted in 1341: he has already been referred to in the account of Eshiels in the parish of Peebles,<sup>3</sup> which his family held for three centuries. Born before 1300 he became lord over a very large extent of territory, much of which he won by his bravery during that confused period of Scottish history following the ignoble surrender of Edward Baliol after the battle of Halidon Hill (1333). The Knight of Liddesdale was not present at that battle, but he accompanied King David II in 1346 to the battle of Durham, and was taken captive. Before that he had won for himself the name of the "Flower of Chivalry," but the bloom of the flower faded. As the price of his freedom he agreed to give assistance to England, and in 1353 he was slain at a place then called Galsewood in Ettrick Forest, and now known as Williamhope.

It is clear that before his death Sir William Douglas had acquired all the available lands in West Linton, but apart from the charter of Whitfield, before referred to, only one other transaction has been traced. By a charter dated 8th March, 1315, King Robert granted to John, called Logan, 18 oxgates of land with a maltkiln and four cottar lands "in the vill of Lyntounrothryk," extending to a £10 land of old extent, to be held of the Crown in the same manner as William of Conyon and Edmund Conyon,<sup>4</sup> knights, held them, making three suits yearly at the King's three head courts of the shire of Peebles.<sup>5</sup> This John of Logan, by an undated charter confirmed by King David II on 8th May, 1340, granted to Sir William Douglas, then William of Douglas and designated Lord of Kincavil,<sup>6</sup> for faithful

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second on record of the Lords of Douglas, who flourished between 1198 and 1239, is believed to have had two sons. The elder, William Douglas, "Longleg," was the ancestor of the Earls of Douglas: the younger, Andrew, great-grandfather of the Knight of Liddesdale, is claimed as the ancestor of the Earls of Morton (*The Scots Peerage*, vi. 337).

<sup>1</sup> *Reg. Morton*, ii. No. 15.

<sup>2</sup> *Ibid.* Nos. 31 and 43.

<sup>3</sup> Vol. ii. p. 344.

<sup>4</sup> These previous holders belonged to a branch of the Comyn family, but the connection has not been traced.

<sup>5</sup> *Reg. Morton*, ii. No. 18.

<sup>6</sup> Kincavil in Linlithgowshire was acquired in 1315 by Sir James Douglas of Lothian, father of William.

services rendered, all his lands of "Lintonrothirrikis," on payment annually of a silver penny in the parish church of Linton and with the same services.

Sir William Douglas is said to have married a daughter of Sir John Graham of Dalkeith, through whom he acquired the barony of Dalkeith, and also the baronies of Kilbucho (p. 313) and Newlands (p. 8). He had no male issue and by a Will which he made at Peebles on 3rd November, 1351, he bequeathed Dalkeith, Kilbucho and Newlands to his nephew James, the son of his deceased brother, Sir John Douglas.<sup>1</sup> The lands in West Linton are not mentioned in this Will, but they, too, passed to the nephew.

James Douglas was knighted in 1366 when he fought a duel with Thomas Erskine for the possession of certain lands in Dumfriesshire which had belonged to James's cousin, Mary Douglas (daughter of the Knight of Liddesdale), who had married Erskine. As owner of the barony and castle of Dalkeith Sir James Douglas is styled as Lord of Dalkeith in all writs after 1370. He was twice married; his first wife was Agnes Dunbar,<sup>2</sup> daughter of Sir Patrick Dunbar, by whom he had a family, and the second was Egidia Stewart, sister of King Robert II. On 2nd January, 1374-5, Sir James Douglas had a charter from King Robert II entailing his lands in the counties of Dumfries, Linlithgow and Peebles to himself, his son James by the marriage with Agnes Dunbar and other substitutes: this deed included the whole barony of "Lynton Rotherick." Later, in 1383, the West Linton lands along with the lands in Newlands, Lochurd and Kirkurd were erected into a free regality, and this was confirmed by another Crown charter in 1387.<sup>3</sup>

A rental of the family possessions for the year 1376 gives the following particulars about West Linton. In the vicinity of the village 10 oxgates were let to William, son of John, Adam Smot, David, son of John, Thomas Smyth, Thomas, son of Alexander, William Small, Adam, son of Thomas, John Swayne, and John Lawson, at a rent of £10 13s. 4d. Two oxgates of Swynburnhead were let to William Menar, one for 18s. and the other for 20s.; Molslande to Walter, son of Adam, for 40s.; Bawdyngisgill (Baddinsgill) to William, son of John, for £5; and Qwhitfeilde (Whitfield) to William, son of Adam, and David Purdy for £4 6s. 8d. Yearly rental of barony of Linton, £23 18s.<sup>4</sup>

During his lifetime Sir James Douglas disposed of parts of his possessions in the parish. About 1370 he granted to Sir David of

<sup>1</sup> He married Agnes Monfode, widow of John Monfode of Skirling (p. 214).

<sup>2</sup> Not, as has been stated, the daughter of "Black Agnes," Countess of Dunbar (*Sketches of Early Scotch History*, by Cosmo Innes, 1861). Her father was a cousin of Patrick, ninth Earl of Dunbar, who married "Black Agnes."

<sup>3</sup> *Origines*, i. p. 517.

<sup>4</sup> Renwick: *Historical Notes*, p. 19.

Graham the lands of Linton Shiels (now apparently Cairnmuir) retaining the superiority, the vassal being bound to perform the usual services. In 1378 he granted to Thomas Pacock the third part of the lands of Whitfield, which his father, Adam Pacock, formerly held. By a charter dated 10th July, 1411 (and confirmed on 26th July by Robert, Duke of Albany, governor of the kingdom),<sup>1</sup> he granted to his natural son, Sir James Douglas of Robertson, the lands of Stoney-path and Baddinsgill.

Sir James Douglas died in 1420. He left two wills which are interesting not only as being the oldest known documents of that nature existing in Scotland, but as showing the valued possessions of a Scottish baron of the period. Commending his soul to God, the blessed Virgin and all saints, he gave his body to be buried in the monastery of Newbattle beside his first wife Agnes. His best horse, and his arms, were given as a funeral offering to the Vicar of Lasswade; his second best horse was bequeathed to James, his son and heir, and the third best horse to the monastery of Newbattle. To his son he also bequeathed a helmet and full arms for tilting: an owche with a ruby in the middle, a ring *de columna Christi*, a cross made of the true cross—*super quam pendeat Jesus*—a relic of the hair of Mary Magdalene, enclosed in silver, a circlet of gold, a quest counterfilet of gold, a silver basin with a cover, and his best gilt cup; his best ring with a sapphire which was his lady mother's; also a large quantity of silver plate, dishes, chargers and cups, his best bed, all his books, both those of the Statutes of the Kingdom of Scotland and those of romance, but excepting the books of grammar and logic which were left to a natural son, John Douglas of Aberdour.<sup>2</sup>

Sir James Douglas succeeded his father as second Lord of Dalkeith: he married Elizabeth, a younger daughter of John, Earl of Carrick, afterwards King Robert III, and married again after her death. His grandson James, fourth Lord of Dalkeith, married Joanna, third daughter of King James I, and was created Earl of Morton on 14th March, 1457-8. The regality of West Linton remained with the family, though it is probable that the greater part of the lands was only held in superiority. On 28th March, 1536, James, third Earl of Morton, under his designation as Lord of Dalkeith, granted, in return for homage and service, the lands of Fairliehope to James Forrester of "Medofield," on the resignation of Alexander Forrester of Corstorphine.

About the year 1600 the whole rental of the regality of Linton, including the lands of Ingzerstoun (Ingraston) Garrelfute (Garvaldfoot), Maidenheid (Medwinhead), Spittalhaugh, Lochurd, Kirkurd, Blyth, Walkfield (Wakefield), Harlawmuir and Linton, amounted to £2,018 Scots or £168 3s. 4d. stg. The teinds of the parish "quhair of my lord of Mortoun is kyndlie takisman" amounted to three chalders of victual yearly "by and attour the ministeris stipend."<sup>3</sup>

<sup>1</sup> R.M.S. i. p. 248, No. 11.

<sup>2</sup> Reg. Morton, ii. 170-176, 179-196.

<sup>3</sup> Origines, i. p. 517.

The Morton family suffered a temporary eclipse after the execution in 1581 of the famous Regent Morton (James, the fourth Earl), who built Drochil Castle, but it came back into power, and William, the sixth Earl, was one of the ablest and most distinguished holders of the title, and a devoted servant both to King James VI and Charles I. He was one of the richest men of his day, but he impoverished himself in the royal cause: the great property of Dalkeith (from which a rental of £100,000 Scots was derived) was sold to the Scotts of Buccleuch, and in 1631 all the Peeblesshire lands to Sir John Stewart, who became first Earl of Traquair in 1633. A contemporary, Sir John Scott of Scotstarvit, a caustic commentator, refers to the latter transaction in his characteristic manner:

“ Sir John Stewart of Traquair, knight, created Earl of Traquair, was first brought in by the Earl of Morton to be treasurer-depute to him, but within a few years he displaced the principal, and got the full possession of the treasurer to himself: which place he managed so nimbly that he conquest many lands in the space that he enjoyed the same, to wit, the baronies of Drochils, Linton, Horseburgh, Henderland, Dryhope and many others.”<sup>1</sup>

#### THE STEWARTS OF TRAQUAIR<sup>2</sup>

Thus was ended after three centuries the connection of the Morton Douglasses with Peeblesshire. The disposition was granted by the Earl of Morton with consent of Ann, his wife (eldest daughter of George, fifth Earl Marischal) and his eldest son Robert, Lord Dalkeith. The properties conveyed were the lands and baronies of Kilbucho, Linton and Newlands, with the advocations and donations of the kirks of these baronies: and also the lands of Lochurd (p. 202) and part of Kirkurd (p. 197). Absolute warrandice was granted of certain specified lands, viz.: Drochil, Over and Nether, Cowthropple (Callands), Bordland, Ignertside, Fingland, Micklehope, the Kirklands of Newlands, and the mill and mill lands called Flemington or Flemington Mill, all in the barony of Newlands; Ingliston (Ingraston), Garvelfoot, Maidenhead, Baddinsgill, Spittalhaugh and one half of Blyth, all in the barony of Linton; and Lochurd and part of Kirkurd in the parish of Kirkurd. No warrandice was granted of the Kilbucho lands. There was excepted from the warrandice the wadsets or dispositions which had been granted of the lands of Baddinsgill, Cowthropple, Over Drochil, Fingland, Garvaldfoot, and Bordland, to the following respectively: Sir John Murray, Thomas Douglas, George Douglas, Mark Hamilton, and Robert Tweedie. The holding was blench of the Crown for payment of 1d. Scots. The same year Traquair received from the Crown a charter of resignation in which the lands were again

<sup>1</sup> *The Staggering State of Scots Statesmen.*

<sup>2</sup> See vol. ii. p. 528.



erected into a free barony and regality to be called the Barony and Regality of Linton. By virtue of this the village of West Linton took rank as a burgh of regality,<sup>1</sup> the jurisdiction being exercised by a baillie named by the lord of regality.

Three years later Traquair with the consent of Sir Thomas Hope, the Lord Advocate, raised an action of reduction and improbation against all the persons occupying or claiming land in the regality with the object of ascertaining if they could produce valid titles to support them in their possession or claim : in that process he obtained a decree of certification. He then obtained in 1638 another charter from the Crown, on his own resignation, to himself in liferent and his son John, Lord Linton,<sup>2</sup> in fee. It was not long, however, before reverses overtook the family, and the lands became burdened with debt. In 1642 a bond for £41,876 13s. 4d. Scots was granted to Dr. John Craig, H.M. physician, which passed, along with the apprising which had followed to his nephew, Thomas Craig, as heir of conquest, and by him was assigned in 1654 to Dr. Craig's son, Lewis Craig of Riccarton. In 1643 there was a bond for 5,000 merks to Alexander Burnet of Carlops, advocate, and his wife, Margaret Hay ; and in 1646 another for 4,606 merks to Burnet himself. In 1647 Lieut.-General David Leslie, a commander of the Scottish army during the wars of the Covenant (afterwards Lord Newark), advanced 10,000 merks, and here too an apprising followed. In 1655 a bond for £681 stg. was granted to John Hay of the county of Kent. An apprising followed which in 1657 was assigned to Mr. John Scougal of Whitekirk, a senator of the College of Justice.

There were also several wadsets, viz. : in 1632 of Over Drochil in security of 4,500 merks to George Douglas in Linton ; in 1647 of one half of Spittalhaugh for 2,300 merks to William Douglas ; in 1653 of Whiteside for 1,400 merks to Archibald Johnston of Hutton, and of Meiklehope, Flemington and Flemington Mill, for 9,500 merks to Alexander Baillie, younger of Callands ; in 1654 of the other half of Spittalhaugh to James Douglas for 2,500 merks ; in 1654 of Garvaldfoot, Nether Drochil and Fingland for 9,000 merks to James Veitch in Garvaldfoot ; and in 1657 of Fingland and Scrogs for £10,000 Scots to John Stewart (eldest son of Alexander Stewart of Fauldslichope) in satisfaction of his wife's portion.

In view of these numerous loans the natural result followed, and in 1663 John, second Earl of Traquair, with consent of Anne Seton, his wife, "for a certain sum of money" sold the regality to his father's cousin, Andrew Rutherford, first Lord Rutherford and Earl of Teviot. The deed contained a clause of warrandice as to the following lands : Whiteside, Micklehope, mill lands of Flemington, Over and Nether Drochil, Fingland, Cowthropple and the Kirklands thereof, Bordland,

<sup>1</sup> The previous grant of regality in 1383 (p. 115) did not apparently affect the status of West Linton village.

<sup>2</sup> This title was derived from the parish.



Garvelfoot, Blyth, Spittalhaugh, Kaimhouse, Baddinsgill, town and lands of Linton, Scotstoun, Cairnmuir and Medwinhead, Wakefield, Stoneypath, Fairliehope, Carlops, Harlawmuir, Over and Nether Whitfield, part of Linton which had been feued out, Brighthouse and mill of Linton, oxgates of land in Kirkurd, and lands of Lochurd. Wadset rights were excepted, but the reversions thereof were assigned. At the same time the Earl of Teviot bought over the apprisings from

## RUTHERFURD, EARL OF TEVIOT



ARMS.—Argent, an orle gules, and in chief 3 martlets sable, all within a bordure azure, charged with thistles, roses, fleur de-lis and harps or, alternately.

CREST.—A mermaid holding in the dexter hand a mirror, and in the sinister a comb, all proper.

SUPPORTERS.—Two horses proper.

MOTTO.—*Provide.*

David, Lord Newark, Lewis Craig of Riccarton, Alexander Burnet, son of Alexander Burnet of Carlops, and John Hay of the county of Kent. The following year the Earl of Teviot, having resigned the lands to the Crown for new infeftment, received a charter from Charles II in which the property was of new erected into a regality, the manor place of Drochil to be the principal messuage and sasine there to be sufficient for the whole. Power was also given in accordance with letters patent dated 26th January, 1664, to hold a weekly market in the village of Linton every Wednesday, and two annual fairs each

for three days, one on 6th July and the other on 1st September ; and to levy tolls, customs and casualties.

Andrew Rutherford, Earl of Teviot, was descended from the ancient family of Rutherford of that Ilk. His father was William Rutherford, of Wright's lands, and a merchant burghess of Edinburgh : his mother was Giles Stewart, an aunt of the first Earl of Traquair,<sup>1</sup> and perhaps this relationship may have counted for something in inducing Rutherford to assist Traquair financially by the purchase of the lands. Like many other Scotsmen who remained royalist, or who were out of sympathy with the policy of the Solemn League and Covenant, Andrew Rutherford sought his fortune abroad, entered the French service and rose to the rank of lieutenant-general.<sup>2</sup> After the Restoration he was highly commended to King Charles II by the King of France, and was created Lord Rutherford in 1661. In 1662 he was Governor at Dunkirk and the following year became Governor of Tangier, and was advanced to the dignity of Earl of Teviot, with remainder to the heirs male of his body. He was killed at Tangier by the Moors during a sally on 3rd May, 1664, and left no issue. By his will, dated the day of his death, he ordered eight chambers to be built in the College of Edinburgh, where he had been educated. This was done, and the fabric has the following inscription : "*Musea haec quatergemina, academiae hujus alumnus, Andreas Rutherfordiae Regulus, Teviotae comes, Tangirae Praefectus, belli pacisque artibus domi forisque clarus, testamento extrui jussit.*" He was succeeded in the barony of Rutherford by his kinsman, Sir Thomas Rutherford of Hunthill.<sup>3</sup>

Thomas, second Lord Rutherford, was served in 1665 as heir of provision to his "cousin" the Earl of Teviot, but he was a very distant kind of cousin ; in that service the lands of Newlands were retoured at £40 Scots, and the Linton lands with Lochurd and the oxgates at Kirkurd at £40 14s. 4d. Scots. He died without issue on 11th April, 1666, and was buried at St. Paul's, Covent Gardens. He was survived by his wife Christian, daughter of Sir Alexander Urquhart

<sup>1</sup> She appears in the pedigree (vol. ii. p. 522) as Gelis Stewart, married to William Rutherford of Sunlaws. But there was an earlier family connection. Katherine, daughter of Philip Rutherford of that Ilk, being a ward of the King, forfeited her share of the paternal estate in 1502 by "away ganging and trespassing with James ye Stewart of Tracuar, committand hir person to him in fornication," they being in the third degree of consanguinity forbidden by law. The marriage was legalised by papal dispensation in 1505, and from it the Stewarts of Traquair were descended.

<sup>2</sup> His eldest brother Robert was also a soldier and became Governor of Majorca. He had two sons, William, who became Treasurer to the King of Spain, which sounds lucrative, and Robert, who became Count Rutherford and Governor of Ostend.

<sup>3</sup> They had a common ancestor, George Rutherford of Hunthill, who was the Earl of Teviot's great-great-grandfather, and Sir Thomas Rutherford's great-great-great-grandfather.

of Cromarty, and succeeded by his brother Archibald,<sup>1</sup> who died unmarried on 11th March, 1685.

In 1671 Archibald, third Lord Rutherford, sold the barony and regality of Linton to John, second Earl and afterwards first Marquis of Tweeddale, and his heirs male, whom failing William Hay of Drumelzier and other substitutes. The deed was granted with consent of (1) his brother, Robert Rutherford (afterwards the fourth Lord), (2) Archibald Wilkie, portioner in Linton, and John Durie of Grange as heirs portioners<sup>2</sup> of the Earl of Teviot, and (3) the following, who were then in right of the wadsets which affected the property at the date of the Earl of Teviot's purchase:—Sir James Scougal of Whitekirk, James Sinclair of Roslin, and Robert Andrew, indweller in Edinburgh. The decrees of apprising acquired by the Earl of Teviot from John Hay, Kent; David, Lord Newark; Alexander Burnet of Carlops, and Lewis Craig of Riccarton, were also assigned to the purchaser, and in further security the barony of Scarsburgh and others in Roxburghshire, and the barony of Rutherford, otherwise Capehope, were conveyed in real warrandice. But there was a reservation in Lord Rutherford's favour: that he was entitled during his lifetime to secure any lady or ladies in a jointure of 3,000 merks.

From the date of this purchase to the present time the story of the regality and lands of Linton (including Newlands) is the same as that of the Neidpath estate.<sup>3</sup> As is shown in the succeeding account of the property rights in the lands themselves, the title which the Marquis of Tweeddale received was only that of a mid-superiority in the various estates and farms, with the exception of Spittalhaugh and Baddinsgill. The only lands in the parish of West Linton which were never part of the regality are Slipperfield (pp. 137 and 159). Unfortunately, the books of the Regality Court are not in existence: they would, undoubtedly, give many curious glimpses into the manners and customs of a past age. Pennecuik, writing prior to 1715, states: "The Earl of March is now Lord of this Regality, and distributes justice here by his Sheriff Depute and Bailie, Alexander Horsburgh of that Ilk." When heritable jurisdictions were abolished in 1747, William, third Earl of March (afterwards Duke of Queensberry and known as Old Q), was allowed £218 4s. 5d. as compensation for the regality of

<sup>1</sup> He was betrothed to Janet Dalrymple, daughter of James, first Viscount Stair; but this was without the knowledge of her parents, who insisted that she should marry David Dunbar of Paldoon. The consequences were disastrous, and form the facts on which Sir Walter Scott's *Bride of Lammermoor* is based (see Introduction to that novel).

<sup>2</sup> Archibald Wilkie was a son of Archibald Wilkie of Harlawmuir, merchant in Edinburgh, who married Isabel Rutherford, a sister of the Earl of Teviot: John Durie was a son of William Durie, who was a son of Robert Durie of Grange, a mariner in Leith, who married Christine, the other sister of the Earl of Teviot.

<sup>3</sup> See vol. ii. p. 291.

Linton.<sup>1</sup> The superiorities are mostly still in existence, and the present proprietor is Hugo Richard Wemyss Charteris Douglas, ninth Earl of Wemyss and March.

### III

From the information available in extant records, the following account is given of the successive proprietors of the estates and farms in the parish. As we have seen, the greater part of the parish has been, and is still, held by a mid-superior, and that fact has made the work of tracing the early proprietors difficult, and in some cases it has not been found possible to ascertain the connecting links.

### FAIRLIEHOPE

This is a 40s. land of old extent lying at the north end of the parish and bounded by the North Esk burn. Hugh Fraser, Laird of Lovat,<sup>2</sup> held the lands prior to 1377, in which year Sir James Douglas, Lord of Dalkeith, granted them, on Fraser's resignation, to Adam Forster, a wealthy burghess of Edinburgh, the progenitor of the Forresters of Corstorphine. The next reference is in 1536, when James Douglas, Lord of Dalkeith and third Earl of Morton, granted the lands in return for homage and service to James Forrester of Meadowfield, on the resignation of Alexander Forrester of Corstorphine. This grant was confirmed by King James V on 14th May.<sup>3</sup> James Forrester married Agnes, the grand-daughter of Alexander Forrester, and succeeded to Corstorphine. Although there is no definite record, it seems probable that there were Forresters connected with Fairliehope till the early years of the seventeenth century. George, first Lord Forrester of Corstorphine, was called in the action of reduction by Traquair in 1634 (p. 118), but he did not defend it; and no information is available as to the lands until 1695, when William Thomson, W.S., had a precept of *clare constat*, as son of his father, William Thomson, writer, from the Earl of March, the superior.

Pennecuik, in his *Description of Tweeddale*, refers to the dwelling-house on the property as "an old hunting house belonging to the ancient family of Braid"<sup>4</sup> in Midlothian. The lands were acquired

<sup>1</sup> He was also allowed £3,200 for his office as hereditary sheriff of the county.

<sup>2</sup> He is the first authentic ancestor of the Frasers of Lovat, and it is interesting to find him in possession of lands in Peeblesshire in view of the theory that he was descended from the Frasers of Oliver Castle and Neidpath (see p. 377; also vol. ii, p. 292).

<sup>3</sup> R.M.S. iii. No. 1581.

<sup>4</sup> There was an Andrew Brown of Braid in 1690 who was appointed one of the Commissioners under an Act of Parliament for raising a supply of money for the King and Queen, William and Mary.



about 1719 by William Cleghorn, and passed to his son Alexander : from Alexander they passed to his son Thomas about 1750, to whom his son David succeeded about 1766. In 1775, when Armstrong compiled his Companion to the Map of the County, Fairliehope is entered as belonging to David Cleghorn. He was a brewer in Edinburgh, and in 1799 sold the property to Richard Hotchkis, whose son, James Hotchkis, W.S., Edinburgh, succeeded, and had a charter of confirmation from the Duke of Queensberry in 1825 : the holding was blench for payment of 1d. Scots.

In 1827 James Hotchkis, designed as " of Templehall," sold the lands to James Tytler, W.S., Edinburgh, for £3,050 and also in consideration of certain debts being paid: Tytler in 1834 sold to William Murray, tenant of Whiteside, for £3,600.

William Murray died in 1842, and his immediate elder brother Thomas, tenant of Flemington Mill, had a charter of confirmation and precept of *clare constat* as heir of conquest from the Earl of Wemyss in 1845; in which year the property was sold, with consent of William Murray's testamentary trustees, to William Hill of Hillwood for £4,500. Two years afterwards Fairliehope again changed hands, and was purchased for £4,999 by James Baillie Pender, a papermaker in Edinburgh, who was connected with the firm of Cameron & Co., Springfield Mills, and who in 1848 transferred it in security of business obligations to the manager and secretary of the Union Bank of Scotland.

In 1857 the lands were sold by public roup, as part of the sequestrated effects of Cameron & Co., to James Cowan, papermaker, 33 Royal Terrace, for £5,075, the upset price being £5000. This purchase was made on behalf of Charles Cowan of Loganhouse, who was member of Parliament for the city of Edinburgh. He died in 1889, and his testamentary trustees, in that year, in implement of trust directions, conveyed it to his son, John James Cowan, then residing at 33 Palmerston Place, Edinburgh. Mr. Cowan is still in possession.

The present rental of Fairliehope is £205.



## NORTH ESK RESERVOIR

This reservoir, formed at the junction of the Deerhope burn with the North Esk, lies partly in the parish and partly in Midlothian. In 1843 an Act of Parliament was passed "for making and maintaining a reservoir at Deerhope or Fairliehope on the River North Esk," to afford a regular supply of water principally for mills and factories on the banks of the Esk. The promoters were Sir Francis Walker Drummond, Bart., Charles Cowan on behalf of Alexander Cowan and Sons, John Cameron on behalf of Cameron and Co., Alexander Annandale on behalf of Alexander Annandale and Sons, and James Brown. A company was formed, and for the construction of the reservoir about 25 acres of the lands of Fairliehope were acquired from James Baillie Pender for a feu-duty of £43 10s. and about 26 acres of the adjoining lands of Newhall from Hugh Horatio Brown for a feu-duty of £50. The reservoir has proved of great service, and water is supplied to mills in Penicuik, Dalkeith and elsewhere. The present chairman of the company is William Leonard Tod, of Springfield Mills, Polton, and the secretary is Mr. F. P. Milligan, W.S., Edinburgh.

The present rental of the reservoir so far as it is in the county is £130.

CARLOPS<sup>1</sup>

This property, in which the village of Carlops is situated, is bounded on the north by Fairliehope and the North Esk. For many years it has formed a part of the estate of Newhall in the parish of Penicuik. Near the village the North Esk is joined by the Carlops burn, and there is in the vicinity a narrow glen, which was fortified in early times and considered a pass of importance. The lands took their name from this pass, which seems to have been called originally "Karlynglipps," and is the spot referred to by Andrew of Wynton and John of Fordun as one of the marches of the territory ceded to England by Edward Baliol in 1346.

## MENZIES OF CARLOPS

The earliest proprietors were apparently the family of Menzies of that Ilk. On 11th March, 1425-6, in the Parliament held at Perth, a complaint was lodged with the Lords Auditors of Causes by David "Menyhes" of Bogry that Sir James of Douglas (afterwards first

<sup>1</sup> The accepted derivation of the name is *Caer-luib*, the fort of the winding hill.

Earl of Morton), the overlord of the lands, which Menzies had possessed in peace for twelve years or more, had in the vassal's absence made them to be "recognosced," and had thereupon given them to a certain Alan of Erskyne. The Lords Auditors heard the cause, and directed that the lands without delay should be "recognosced" in the hands of Douglas, and then delivered to Menzies as their lawful possessor.<sup>1</sup>

The Menzies family continued in possession and in the beginning of the seventeenth century the lands were held by John Menzies, who in the action of reduction raised by the Earl of Traquair in 1634 produced in defence of his right, a sasine in 1564 to James Menzies as heir of his father Alexander; a charter by the Earl of Morton in 1566 to James Menzies of that Ilk, holding blench for payment of 1d. Scots; and a precept of *clare constat* to Alexander Menzies as heir of his father James.

### BURNET OF CARLOPS

Carlops was acquired prior to 1643 from Menzies of Weems in Athol<sup>2</sup> by Mr. Alexander Burnet, advocate, son of William Burnet of Barns (the "Hoolet," p. 575). He married Margaret Hay and died in 1657 leaving two sons and three daughters. The eldest son, Alexander, was a minor at the time of his father's death; he also became an advocate, married in 1675 Isabel, sister of Archibald, third Lord Rutherford, and died at Stobbs in October, 1699, described in his testament as sometime major in the Earl of Glencairn's regiment of foot. He left two sons, Archibald and William.

Archibald Burnet was served heir to his father in Carlops in 1707; in 1712 he was infeft also as his father's heir in lands in Dumfriesshire, and in 1714 he had a sasine of lands in Midlothian and Manor. In 1704 he was one of the Commissioners of Supply for the county of Edinburgh. An ardent Jacobite, he took part in "the risings" in 1715, was captured in Edinburgh, tried in Liverpool and executed. A letter by him is in existence written from prison on 10th January, 1715-6, to a friend who had advised him to ask for pardon:

"You say the Government will find it its interest in making friends by clemency; no doubt you judge right in the main, but perhaps you mistake the peculiar complexion of this Government.

"Powers founded on justice may flourish in clemency, but those acquired by force or fraud are commonly maintained by violence. In the case of a rightful 'sovereign,' he comes into the world the common father of his people. He has no conquest to make of their

<sup>1</sup> *Origines*, i. p. 191.

<sup>2</sup> Pennecuik: *Description of Tweeddale*, p. 117. A mid-superiority must have been retained by Menzies, as in 1726 Sir Robert Menzies had a precept of *clare constat* from the Earl of March, as heir to his grandfather, Robert Menzies, in the lands of Carlops. And in 1833 there is a charter of resignation by the Earl of Wemyss and March to Sir Neil Menzies of that Ilk as heir of Sir Robert Menzies.

affections. . . . But in the case of usurpation, a sovereign is no other than the head of a faction, forced upon the whole. The faction alone which made him are his people. The unnatural means of his accession . . . must drive him into irregular arts, to secure by violence, what he has got by injustice. . . .

"I hope the words of a dying man will vindicate my own sincerity . . . and will obtain the charitable opinion of good men, that they who have lost, and ventured their lives, in asserting the rights of their own Lawful Innocent Prince, and their injured constitution, have been engaged in an honourable cause, and not in an unnatural rebellion. . . ." <sup>1</sup>

The Carlops property seems to have been saved from forfeiture or restored, and the next proprietor was Captain Alexander Burnet, who died in July, 1743, at Stobbs, without issue, succeeded by his brother William, a lieutenant in Brigadier General Pulteney's regiment of foot.

### FORBES OF CARLOPS AND NEWHALL

The adjoining estate of Newhall, in the beginning of the eighteenth century, was in the possession of Sir David Forbes,<sup>2</sup> an eminent lawyer, uncle of the celebrated President Duncan Forbes of Culloden, and knighted for his services in the cause of Union of the Parliaments of Scotland and England. He married Catherine, daughter of the first Sir John Clerk of Penicuik, and died in 1725 succeeded by his son John, also an advocate, who in that year was appointed depute to his' cousin Duncan Forbes on the latter's appointment as Lord Advocate for Scotland. John Forbes purchased Carlops from the Burnet family, and it thereby became part of Newhall. Allan Ramsay was a frequent visitor to Newhall and was a close friend of Sir David Forbes and his son: it was there and at Carlops that the scene of *The Gentle Shepherd* was laid, and Sir David Forbes himself appears in the poem under the character of *Sir William Worthy*. To John Forbes, his constant patron, Allan Ramsay addressed an Ode in 1721:

"Be gratefu' to the guiding powers,  
An' blythly spend your easy hours,  
O canny Forbes! tutor time,  
An' live as lang's y're in your prime;  
That ill-bred death has nae regard  
To king, or cottar, or a laird;  
As soon a castle he'll attack,  
As wau's o' divots roof'd wi' thack."

John Forbes was also a friend of Dr. Pennecuik, and was associated with him in the preparation of the *Description of Tweeddale*, published

<sup>1</sup> *Genealogical Account of the Family of Burnett*, 1882, p. 65.

<sup>2</sup> The proprietor of Newhall prior to Sir David Forbes was Robert Brown, afterwards of Colstoun (*Edin. Texts*).

in 1715. He inherited his father's literary talents, and his bodily powers appear to have been remarkable. It is related of him that he once walked from Edinburgh to Glasgow (44 miles), and after returning on foot the same day, danced at a ball in the evening. But that feat is almost impossible.

The house of Newhall is on the north bank of the Esk, and immediately opposite, on the Carlops side, is the Harbour Craig—a projecting freestone rock on the bank of a deep glen. The tradition is

## BROWN OF CARLOPS AND NEWHALL



ARMS.—Gules, on a chevron between 3 fleur-de-lis or, a garb vert banded azure.

CREST.—A ship in the sea firing the signal for sailing all proper.

MOTTO.—*Deus adesto.*

that the Covenanters retreated there after the battle of Rullion Green (1666). On the rock there are still a number of names and dates—1612, 1640, 1662, and 1666. One of the names is J. Gifford, which may be that of the Linton laird (p. 102).

Carlops, although it thus became part of Newhall, was for many years let to one tenant, and it was there that Roger in *The Gentle Shepherd*, Patie's rich young friend, was supposed to live. The next proprietor of Carlops and Newhall was William Hay, and from him in 1783 they were acquired by Robert Brown, advocate (son of Hugh Brown, merchant in Glasgow), for £14,000, of which price Carlops was estimated at less than half.<sup>1</sup>

Robert Brown did much to beautify the estate, in which he took a deep interest owing to its connection with Allan Ramsay. He prepared and published in 1808 an illustrated

<sup>1</sup> Chambers, p. 468.



edition of *The Gentle Shepherd*, and in 1815 a fully annotated edition of Pennecuik's works. He died in 1833, succeeded by his son, Hugh Horatio Brown, who died in 1868 and was succeeded by his son, Horatio Robert Forbes Brown, LL.D.

This laird was born in 1854 and died in 1926; his mother was Gulielmina, daughter of Colonel Ronaldson Macdonell of Glengarry, and he was educated at Clifton College and New College, Oxford. He received the degree of LL.D. from Edinburgh University in 1900, and in 1923 the British Academy gold medal (Serena Foundation). He was a well-known Italian scholar, published many books (including a book of verses in 1900 and a biography of John Addington Symonds in 1903), and contributed chapters on Italy to the *Cambridge Modern History*.

#### THE PRESENT PROPRIETORS

In 1924 Mr. Brown sold the farm of Carlop Hill (rental £125) to Mr. John Young, who has since sold it to Mr. Walter Thom, painter, and Mrs. Catherine Nelson. The rest of the property he sold in 1925 to Mr. Emra Holmes, estate agent, Castle Douglas, who has since resold it in lots with the exception of some feu-duties. The following are now the proprietors of the principal parts: (1) The farm of Rogersrig and Jennysbrae (rental, £126 7s. 3d.), Mr. James B. V. Cummings; (2) the farm of Kittleyknowe (£106 9s. 5d.), Mr. F. R. Graham-Yooll, Edinburgh; (3) the farm of Peggy's Lea and the Steel, Mr. Jacob Rubin, Edinburgh; (4) Lanely Bield, Mr. F. R. Graham-Yooll; (5) the farm of Carpet and South Mains (£145 17s. 6d.), George Mackay, M.D., Edinburgh; (6) the farm of West Mains (£61), Mr. John Carmichael; (7) the small farm of Carlop Mains (£25), Mr. Thomas Small; (8) cottage, Pyethall, Mrs. Jean M'Leod, Edinburgh; (9) the Schoolmaster's croft (£10), Mr. William M'Gill; (10) Heatheryhaugh, a small piece of ground, Mr. William M'Gill.

In 1657 the rental of the whole property was £160 Scots, or £13 6s. 8d. sterling; in 1863 it was £951 10s.



## HARLAWMUIR

This hill farm is bounded by Carlops on the east, Midlothian on the north and east, and on the south by the lands of Whitfield (p. 173). Pennecuik has nothing to tell us about the property except that he found that the golden rod or woundwort grew there, which is a little surprising as he was for a time the proprietor. Harlawmuir is included in the rental of the regality of Linton about the year 1600, from which it may be inferred that it then belonged in property to the Morton family. In 1615 William Douglas, a portioner of Linton, had a charter from the Earl of Morton of *inter alia* the lands and steading of Harlawmuir. There were several of the name of Douglas holding lands in the parish about that time—probably cadets of the Morton family—and in 1622 James Wilkie and his son Archibald<sup>1</sup> had a disposition of the lands from William Douglas and his son Richard.<sup>2</sup>

The next proprietor traced is John Pennecuik, who died in 1690, but it is not known whether he purchased the lands or inherited them. He was succeeded by his elder brother, Dr. Alexander Pennecuik, who transferred them in 1702 to his son-in-law, Mr. James Oliphant of Langtoun, advocate, who the following year sold to David Forbes (afterwards Sir David Forbes). Thereafter the property, like Carlops, became part of Newhall, but not for long. John Forbes succeeded and died in 1748-50; and his trustees—two of whom were Duncan Forbes, the Lord Advocate, afterwards Lord President of the Court of Session, and Sir John Clerk of Penicuik—sold it in 1743 for £6,133 6s. 8d. Scots to Sir John Clerk himself, with whose family the property has remained. The present holder is Sir George James Robert Clerk, ninth Baronet, and the rental is £99 4s. 7d.

## THE OXGATES OF LINTON, MILL LANDS, BRIDGEHOUSE, KIRKLANDS AND TEMPLE LANDS

Proceeding from Carlops along the high road to West Linton the first property reached is that of Rutherford, but before dealing with it, it is necessary to give some account of a tract of land of which Rutherford and other estates and farms form a part. This tract surrounds the village of West Linton and is made up of (1) 24 oxgates of land, (2) the mill and mill lands, (3) Bridgehouse and the lands thereof, (4) the Kirklands of Linton, and (5) the Temple lands. It has not been found possible to submit a detailed and connected account of these lands, as the earlier titles have not been traced, but the main facts are sufficiently clear, and the information available is here given.

<sup>1</sup> It was he who married Isabel Rutherford, sister of the Earl of Teviot (p. 121).

<sup>2</sup> These deeds are referred to in the Earl of Traquair's decree of certification (p. 118).

## (1) 24 OXGATES

When the Earl of Traquair raised the action of reduction in 1634 (p. 118), it was then ascertained that all that part of the parish—extending from Carlops and Harlawmuir on the north to the village of West Linton and including ground to the south of the village: and between the old turnpike road at Bridgehouse on the west and the lands of Whitfield on the east—had been divided out into oxgates and was possessed by several proprietors. Some of these can be given. William Douglas, portioner, had 16 which were granted by the Earl of Morton in 1615: eight of these were transferred, with consent of his son Richard, to James Wilkie, portioner, in 1622, and four more in 1624. These 12 oxgates included as pertinents the Brewlands. Hector Gifford held two oxgates on a grant from the Earl of Morton in 1615. Hector Douglas, son of George Douglas of Spittalhaugh, had four which he inherited from his father, who had acquired them from John Douglas of Harwood in 1596, whose father Edward in 1543 had a grant of them from the Earl of Morton. That accounts for 22 oxgates, but from later information we know there were 24 in all: they were held in feu, and perhaps the remainder were subsequently feued out by the Earl of Traquair or his successors.

Of these 24 oxgates eight were known as the North Third of Linton, eight as the East Third, and eight as the West Third, and they all carried commonty rights in the Linton muir, which in 1736 was divided out among the various proprietors interested.

## (a) 8 OXGATES FORMING THE WEST THIRD

These were made up of six oxgates, and two oxgates held by different proprietors.

The six oxgates apparently belonged to the descendants of Hector Douglas<sup>1</sup> of Spittalhaugh. There was a John Younger in 1712 who conveyed a part of the oxgates, known as the Ward, to Robert Elliot and his wife (p. 141), and in 1730 William Younger, perhaps a son of John, had a precept of *clare constat* from the Earl of March, as the heir of James Douglas, his grandfather. He conveyed the oxgates, or what was left of them, in 1729 to William Richardson, smith a burgess in Edinburgh.

The two oxgates were the property of Hector Gifford in 1615 as before stated: they descended to his son James (the Linton laird referred to, p. 102), and from him to his son, also James, who had a precept of *clare constat* from the Earl of Tweeddale in 1680. In 1705 James Gifford conveyed them to his eldest son George, who the following year sold to Alexander Graham, merchant in Edinburgh. This proprietor contracted debts, and after his death, Abraham and

<sup>1</sup> He had four, as we have seen, and the remaining two may have been acquired by him, or later by his representatives.

James Graham were charged to enter as his heirs at the instance of Mary Geddes, relict of Adam Coult, advocate. Thereafter in 1724 Mary Geddes obtained a decree of adjudication, and in 1733, with consent of James Graham, writer in Edinburgh, her cautioner, and said to be her son, she sold the oxgates to the above-named William Richardson. The feu-duties payable for the 8 oxgates were these : for the six oxgates which belonged to Younger, £7 10s. Scots with two unclipped wedders and six poultry fowls, and for the two which belonged to Gifford, 50s. with two unclipped wedders.

William Richardson in 1742 sold the oxgates to Allan Lockhart of Cleghorn, who entailed them the following year, and was succeeded in 1747 by his nephew Allan. This Allan Lockhart had a daughter Marianne, who married William Elliot Lockhart, and she, in 1805, was served heir to her father. In 1810 it was decided to sell the oxgates by public roup in order to redeem the land tax on the entailed Lockhart estates ; and in 1813 William Elliot Lockhart bought in the property himself at the price of £9,300. The same year he conveyed, with his wife's consent, a portion of the lands adjoining Whitfield to Sir George Montgomery, receiving in exchange the Kirklands of Linton lying on the west side of Lyne Water : he also obtained a renunciation from two Linton portioners, Thomas Lawson and Robert White, of their rights of pasturage over the Linton muir—equivalent to four souns of grass—which belonged to these portioners in virtue of their ownership of part of the Temple Lands of Linton.

In 1814 Lockhart sold the property to Sir John Hay, Baronet, of Smithfield and Haystoun,<sup>1</sup> and this was confirmed by the Earl of Wemyss as superior. Sir John Hay was succeeded by his son John, sixth Baronet, who had a precept of *clare constat* from the Earl of Wemyss in 1833 : he, in turn, was succeeded by his brother, Sir Adam, who had a precept from the superior in 1839.

#### (b) 8 OXGATES FORMING THE NORTH THIRD

William Douglas had a charter from the Earl of Morton in 1615 of *inter alia* 16 oxgates of land, eight of these comprising the North Third and the other eight the East Third of Linton, including commony rights on the Linton muir. The East Third oxgates he conveyed with consent of his wife and son Richard, and James Lawson of Cairnmuir, to James Wilkie in 1622 ; and in 1624 he likewise sold four oxgates of the North Third to the same James Wilkie. What he did with the remaining four oxgates there is no record available to show, but two of them came into possession of William Russell of Kingseat (North Slipperfield), one passed to Isaac Whitelaw, and the remaining one to John Alexander, provost of Peebles. The four oxgates transferred to James Wilkie passed later to Mr. David Plenderleith of Blyth (p. 168), who in 1734 sold them to Mr. Alexander Walker, minister of Kirkurd, and afterwards minister of Mackerston,

<sup>1</sup> See vol. ii. p. 367.

in liferent, and to his son William in fee. William Russell's two oxgates and John Alexander's one oxgate were similarly sold in 1737, and in 1750 Isaac Whitelaw's oxgate was transferred to William Younger, and was by him sold to Alexander and William Walker, but the date has not been ascertained. The original feu-duties payable were: for the four oxgates £33 7s. 2d. Scots; for the two acquired from William Russell £12 Scots; for William Younger's oxgate £8 Scots; and for John Alexander's either £5 11s. 8d. Scots or £1 5s. Scots with an unclipped wedder and three kain fowls

The liferent to the Rev. Alexander Walker was renounced in 1751, and the title was confirmed by the Earl of March as superior. In 1752 William Walker executed a conveyance to himself and his heir male in liferent, whom failing to his sister Isobel, widow of John Tennent of Handaxwood, and then wife of Thomas Baillie of Polkennet, W.S., in liferent, and Alexander Tennent of Handaxwood, Lieutenant in Lord Barrie's regiment of foot, Isobel's eldest son, and his heirs, in fee; whom failing to William Baillie (eldest son of Isobel and her second husband, Thomas Baillie), and his heirs in fee. That conveyance was of the whole property belonging to William Walker, and included Stoneypath (p. 156), eight oxgates of the North Third, eight oxgates of the East Third, the mill and mill lands of Linton, Bridgehouse and the lands thereto belonging, and a part of the Temple lands of Linton.

After William Walker's death there was a law-suit, which went to the House of Lords for decision in 1770. Lieut. Alexander Tennent died without issue, and his sister Agnes, the only daughter, wife of Mr. Andrew Chatto of Mainhouse, minister of Morebattle, claimed all the lands under the destination in the deed. The other claimant was Mr. William Baillie, advocate, named in the destination clause, the eldest son of Isobel and Thomas Baillie. During the progress of the case Agnes Chatto died, and it was found by the Court that her eldest son John was entitled to succeed: decree of declarator was given in his favour.

### (c) 8 OXGATES FORMING THE EAST THIRD

As we have seen, these belonged originally to William Douglas and then to James Wilkie. Later they also passed to David Plenderleith of Blyth (the link has not been traced), and from him to Alexander Walker and his son William, and then with the rest of their property to John Chatto. The original feu-duty was £60 14s. 4d. Scots

### (2) MILL AND MILL LANDS OF LINTON

The story of these is very fragmentary: the mill was in the vicinity of Bridgehouse, and in the eighteenth century was called Bridgehouse Mill.

In the beginning of the thirteenth century the mill and lands belonged to William Comyn of Kilbride (p. 112), and were acquired



by the Morton family. In 1615 William Douglas received a grant of them (along with the oxgates we have been dealing with) from the Earl of Morton, the feu-duty being £14 Scots, and his son Richard succeeded in 1625. During the latter part of the seventeenth century and the beginning of the eighteenth the lands were in the possession of the Russells of Kingseat. After that there is no trace till 1750, when they are the property of William and Alexander Walker. They were inherited in 1770 by John Chatto.

### (3) BRIDGEHOUSE

The "Brighous" was about half a mile to the north-west of the village, on the old turnpike road, and is now the site of Medwyn House. It was for long an inn, and there the Linton markets were originally held. William Douglas became proprietor of it and the adjacent lands, as he did of so much other property, by charter in 1615 from the Earl of Morton. The feu-duty was £1 Scots. James Purdie acquired it in 1625 from William's son Richard, and his son Robert and grandson Walter possessed it after him. The property then passed to James Muir, stabler, a Burgess of Edinburgh, and was adjudged for debt in 1698 from John Muir of Park, his brother and his heir, by John Wilkie, W.S.—the debt amounting to £1,546 16s. 8d. Scots. John Wilkie was succeeded in 1705 by his brother George: his son Thomas succeeded in 1717, and sold the property in 1733 to William Montgomery of Machiehill, who in 1749 sold it to William Walker, from whom John Chatto inherited.

### (4) THE KIRKLANDS OF LINTON

These lands were on the east side of Lyne Water where the village of Linton now stands. The original grant by Richard Comyn to the monks of Kelso has already been noticed (p. 110); and the property continued in the possession of Kelso Abbey till the Reformation. The vicarage is rated in Baiaund's Roll at £26 13s. 4d.; about 1300 it yielded 20 merks; and in 1561 £43 10s., in which year Walter Balfour, the vicar, reported that it was valued in the old rental of Kelso at £36 13s. 4d., that it was leased to him for £100, but that he estimated it as worth no more than £80, and had let it for that sum to the parishioners.<sup>1</sup> The possessions of Kelso Abbey, including the Kirklands of Linton, were granted in 1607 by King James VI to Sir Robert Ker, afterwards first Earl of Roxburgh,<sup>2</sup> and in 1614 his son and apparent heir William had also a charter from the King.<sup>3</sup> But

<sup>1</sup> *Origines*, i. p. 190. Dr. Renwick points out that in 1506-7 it was proposed to annex the vicarages of Linton, Stobo and other parishes to the College of Glasgow (*Historical Notes*, p. 496).

<sup>2</sup> See vol. ii. p. 320 (footnote).

<sup>3</sup> *R.M.S.* vii. Nos. 1055 and 2003.



these grants may only have been of the superiority. Simon Tweedie was in possession prior to 1628, in which year his son John was served as his heir. In that service the lands are described as on the east side of the Water of Linton called Lyne, and they included the pasturage of 12 souns of grass, and also a piece of land near the manse for building a house. To John Tweedie his son James succeeded in 1642.<sup>1</sup> After that the links have not been traced till the year 1813 when Sir George Montgomery of Macbiehill was the proprietor, and sold the lands to William Elliot Lockhart of Cleghorn and his wife Marianne, in exchange for a portion of the Linton muir adjoining his lands of Whitfield.

#### (5) THE TEMPLE LANDS

Little information is available with regard to these. They were situated south of the village on both sides of the road leading to Bogsbank, and alongside the railway. They formed a 20s. land of old extent (52 acres), and were divided up among several proprietors who have not been traced. One third belonged "of old" to a James Donaldson, and the proprietors of that portion in 1813 were Thomas Lawson and Robert White. The remainder of the lands were included in William Walker's conveyance of his properties in 1752 (p. 132), but how he acquired them has not been ascertained, nor is any information available as to the previous proprietors. In Pennecuik's time a number of stone coffins were found on the Temple lands.<sup>2</sup>

#### RUTHERFORD

These lands probably acquired their name either owing to the ownership of the Linton regality by the Rutherford family (p. 119), or to the marriage of Archibald Wilkie (p. 121), who owned a large share of the Linton oxgates, with Isabel Rutherford, sister of the Earl of Teviot. The name, however, had not been given when Pennecuik wrote (1715) nor when Armstrong published his map in 1775 and wrote the *Companion* to it.

John Chatto, who fell heir, as we have seen, to the North and East Thirds of Linton, was succeeded in 1787 by his younger brother Alexander, who in 1803 sold a part of that property, and the whole of his lands of Stoneypath, to John Ker,<sup>3</sup> W.S., for £4,000, under burden of a feu-duty of £41 19s. 3d. Scots. According to the description in the deed, the property sold lay on both sides of the old turnpike road

<sup>1</sup> Peebles *Retours*, Nos. 78 and 114.

<sup>2</sup> Pennecuik: *Description of Tweeddale*, p. 162.

<sup>3</sup> He was a son of William Ker of Kerfield (see vol. ii. p. 352).

from Edinburgh to Bridgehouse, and was bounded on the south-west by the lands of Leadlaw, sold by Chatto to Alexander Goldie and William Gordon (p. 140), on the south by Allan Lockhart's lands of Linton muir and the lands of Whitfield belonging to Sir George Montgomery of Macbiehill, on the west by the lands of Carlops, on the north by Cairnmuir, and on the west by Lync Water. The following year John Ker sold the greater part of his purchase including Stoney-path to Dr. Colin Lauder, Edinburgh (p. 157), and only retained that part on the south-east side of the old turnpike road, the feu-duty for which was £4. In his time, the name Rutherford was attached as a place name to what is now the farm house of Rutherford Mains, and it is so marked in Thomson's Atlas for Peeblesshire, dated 1821.

John Ker died in 1838, in which year his sisters—Rachel, wife of Andrew Wilson, artist in Florence; Marion, wife of Adam Park, surgeon, Gravesend; Mary, widow of William Aitchison, brewer, Edinburgh; and Anna Johnston, wife of Dr. William Cumin, Professor of Obstetrics, Glasgow—were served as his heirs portioners. In 1841 these heirs sold the property of Rutherford to James Greig, W.S., Edinburgh, for £5,300. When the new high road was formed about 1831 it passed through the lands of Rutherford from north to south, and perhaps as a result of this a way-side inn appeared on the east side of the road called "Rutherford Castle Inn." It is marked on the first ordnance survey map, which was prepared between 1855 and 1859. James Greig considerably improved the property, and it is said transformed the inn, which faced west, into the present dwelling-house, which faces south and is approached by an avenue from the main road. Owing to ill-health he granted a power of attorney in 1859 to James Greig of Eccles, who that year sold Rutherford for £9,180 to John Gordon Davidson, Breda House, Aberdeenshire, a lieutenant in the Edinburgh artillery regiment of militia. He only held the property for a year, as he went to reside abroad: it was sold on his behalf by William Nathaniel Fraser, S.S.C., Edinburgh, to Andrew Webster, S.S.C., for £9,250. He was the proprietor when Dr. Chambers wrote his *History*, and the property under him was further improved and extended. The planting of trees, begun by James Greig, was extended by Andrew Webster, who made the walks through the woods, and enclosed the Heavenly Well (p. 97). In 1861 he acquired from William Forbes of Medwyn an additional area of land extending to 146·86 acres, described as part of the Cottage farm and adjoining Rutherford on the south. The price paid was £4,350, with an annual feu-duty of 1s. This ground was also a part of the North and East Thirds of Linton, which had become part of the Medwyn estate (p. 140). From this time onwards down to 1926 the estate of Rutherford consisted of the small mansion-house with its policies of about 15 acres and of the two farms of Fairslack<sup>1</sup> and Rutherford Mains with about 60 acres of woodlands. Fairslack farm (about 202 acres) lies between the old turnpike road and the

<sup>1</sup> This name is old and appears in Armstrong's map, 1775.

main road, and Rutherford Mains (about 206 acres) extends eastwards from the main road to the march with Whitfield.

Andrew Webster died in 1876, and his trustees the following year sold the combined property to Mrs. Annie M'Laren or Philip, wife of Alexander Philip, writer, Glasgow, for £16,000. Mrs. Philip went abroad to reside in 1891, leaving a power of attorney to David Philip, S.S.C., Edinburgh, who, in 1896, sold it to Ewen Cameron, merchant, Glasgow, by public roup, at the price of £9,500, a very considerable drop from the previous price. Ewen Cameron held Rutherford till his death in 1912, and in 1919 his trustees sold it to James Scott Law, residing at Beverley, Craiglockhart, Slateford, for £7,500, or £2,000 less than Ewen Cameron had paid. In 1925 the property again changed hands, and was acquired by the present owner, George Mackay, M.D., 26 Drumsheugh Gardens, Edinburgh. Dr. Mackay has old associations with Peeblesshire, as his great-grandfather, Lieut.-Colonel George Mackay of Bighouse, Sutherlandshire, was an elder brother of Captain Aeneas Mackay of Scotstoun (p. 93), and died at Scotstoun in 1798. Lieut.-Colonel Mackay<sup>1</sup> married Louisa Campbell, the elder daughter of Colin Campbell of Glenure, whose tragic assassination at Ballachulish supplied the text for R. L. Stevenson's novel, *Kidnapped*.

Rutherford has recently been enlarged by the purchase in 1926 of the adjoining farms of Carpet and South Mains, which formed part of the Carlops estate. The property now extends northwards to the cross road from Carlops to Deepsykehead and to the high green bank overlooking the south end of the village of Carlops. The house has also been enlarged.

The present rental of Rutherford is £539 10s.

#### MEDWYN

This estate adjoins West Linton village, which it bounds on the north-west and south-west, and includes the

<sup>1</sup> Some account of him and his family of twenty-one children is given in the *Book of Mackay* (1906), pp. 332-336.



RUTHERFORD



MEDWYN





superiorities of most of the houses in the village. As one holding its history is not long: like other estates in the parish it has been formed by the purchase and acquisition of several smaller properties.

### (I) SOUTH SLIPPERFIELD

The first property purchased which went to the making of the modern estate of Medwyn was that called South Slipperfield or the Loch Third of Slipperfield, lying south-west of Linton village, on the West Water (or Pollentarf), a tributary of the Lyne, and on both sides of the road from Linton to Dolphinton. There are lochs on the lands—hence the reason of the name (p. 97). According to the writer of the first *Statistical Account*, the largest loch has no outlet, “the springs seeming to equipoise the evaporation,” and contains pike and perch, but no eels. The other parts of Slipperfield were the Middle Third and the Ewe Third (p. 159), and the whole property extended up the West Water to the ridge of the Pentlands.

The story of Slipperfield goes far back to the year 1165 or earlier, when Richard Comyn, with consent of his wife Hextilda, conveyed the property to the friars of Holyrood (p. 112). The description of the lands as it appears in the grant is this:

“The whole land from the head of Kingseteburne as it descends to Biggeresfoot; and so by the great road to the next burn beside the Cross, and as the burn descends into Pollentarf, and as the Pollentarf descends to the great moss, and so by the great moss to the Alreburne, and as the Alreburne ascends to the west of Menedict (Mendick), and so to the steads of the old shielings, and so to the Catstane (*Lapidem Catti*); and so to the head of Pollentarf, and so to Kingeseteburne.”

Slipperfield is the only part of the parish which did not form a part of the Linton regality, the reason being that Comyn seems to have parted almost immediately with his rights of superiority, and so we find the grant being later confirmed by David of Lyndesay in an undated charter supposed to belong to the thirteenth century.<sup>1</sup> The property continued as a possession of the monastery of Holyrood till 1559, when a feu charter of the Loch Third was granted by Robert Stewart, as commendator of the monastery and convent, to Laurence Bruce, stated to be his brother. The feu-duty was 20 merks. Bruce on 10th March, 1561-2, conveyed it to Mr. David Mackgill, advocate, who in 1564 granted an annual rent therefrom of 50 merks to John Cockburn of Newholm (brother of Sir James Cockburn of Skirling) and Katherine Somervile his wife. The same year the lands themselves were granted to Sir James Cockburn, and in 1576 the burden of the annual rent of 50 merks was discharged.

<sup>1</sup> *Liber Sancte Crucis*, p. 211-2, No. 6.

In 1603 William Cockburn was served as heir to Sir James Cockburn, his grandfather, and this service was expedite in the regality court of Broughton (Edinburgh), the reason for that being that the superiority of the lands had been acquired by Sir Lewis Bellenden of Broughton in 1587, and the lands were accordingly included in that regality. In 1608 William Cockburn, with consent of his wife, Jean Hamilton, granted a liferent of one half of the lands to Robert Graham and his son Robert. This deed bears that Robert Graham and his predecessors<sup>1</sup> had been old native kindly tenants and possessors past memory of man of one half, (the other half was occupied by Robert Paterson),<sup>2</sup> and that William Cockburn and his wife not being willing to hurt or prejudice him "in his auld native kyndlie rounge steiding and possession," had agreed "for ane certane sounge of numerat money" in name of grassum, to receive the said Robert and his son as kindly tenants during their lifetimes. The yearly payment by the tenants was 32 "stones of clean washed wool of the weight of Peebles," 24 thereof of old sheep wool, and 8 of hog wool. Two years later the lands themselves, both halves, were purchased by Robert Graham, who according to Chambers was descended from the Grahams of Westhall.

In 1625 John Graham as heir to Robert Graham, his grandfather, had a precept of *clare constat* from Sir William Bellenden. He was succeeded by his son Robert, who in 1688 had a precept of *clare constat* from the Governors of Heriot's Hospital, who had become superiors of Broughton and the lands pertaining to that regality.<sup>3</sup> Robert Graham was succeeded by his son Robert about 1707, and in 1717, with consent of his wife, Mary Elliot, he granted a bond for 5,000 merks, and an annual rent of 250 merks, to Mr. William Carmichael, advocate. Two years later William Carmichael purchased the property itself at the price of £12,055 4s. Scots; and was succeeded by his son John (afterwards fourth Earl of Hyndford) (p. 225), who had a precept of *clare constat* from the Governors of Heriot's Hospital in 1784. On the Earl's death in 1788 the lands passed under the entail to Sir John Gibson Carmichael, and in 1804 to his brother, Sir

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<sup>1</sup> Robert Graham in Slipperfield was witness to a sasine at Cairnmuir on 26th June, 1558. In 1560 he was murdered, and his son James charged John Law in Lyne Mill with the crime, but he was able to prove an *alibi*. There was also a Thomas Graham there in 1558 (Peebles Protocols).

<sup>2</sup> The Patersons seem to have remained tenants till well on in the eighteenth century.

<sup>3</sup> Perhaps they acquired the superiority from Robert Ker, Earl of Roxburgh, who on 15th August, 1630, had a Crown charter of several lands which were incorporated into the barony of Broughton and included "the lands of Slipperfield, Middilthrid and Lochthrid, in the shire of Peblis" (*R.M.S.* viii. No. 1651). The Earl of Roxburgh's sister Elizabeth was the mother of Sir William Bellenden (afterwards first Lord Bellenden of Broughton).

Thomas Gibson Carmichael, who in 1814 sold them to John Hay Forbes, advocate, for £8,900.<sup>1</sup> This proprietor was the second son of Sir William Forbes, sixth Baronet of Pitsligo, whose wife was Elizabeth, eldest daughter of Sir James Hay of Smithfield and Haystoun. He became a well-known lawyer, and was raised to the bench with the title of Lord Medwyn.

## FORBES OF MEDWYN



ARMS.—Quarterly: 1st and 4th, azure on a chevron argent between 3 bears' heads couped of the last, muzzled, gules a heart proper as his paternal coat. 2nd and 3rd grand quarters, counter quartered; 1st and 4th azure 3 bears' heads couped argent, muzzled gules; 2nd and 3rd azure 3 frises argent for Pitsligo; in the centre of the grand quarters a crescent or for difference.

CREST.—A hand issuing out of a baron's coronet holding a scimitar in bend a proper.

MOTTO.—*Nec timide nec temere.*

Lord Medwyn was born in 1776 and married in 1802 Louisa, daughter of Alexander Gordon-Cumming, first Baronet of Altyre and Gordonstoun. On his death in 1854 he was succeeded by his eldest son William, an advocate at the Scottish Bar, and later Secretary of the Board of Lunacy.

## (2) BRIDGEHOUSE, ETC.

William Forbes married in 1841, Mary Hume, daughter of John Archer Houblon, of Hallingbury Place, Hertford-

<sup>1</sup> Chambers: *History*, p. 466. He had a charter of confirmation in 1818 from John Lawson of Cairnmuir, who was then the superior.



## (6) PART OF NORTH SLIPPERFIELD

The family dwelling-house was originally the old inn of Bridgehouse, on the old turnpike road, but it has been considerably enlarged, and its amenity was improved in 1862 by the feu of over 15 acres as a policy park in front of the house, from James M'Douall of Logan, then the proprietor of Kingseat or North Slipperfield. The feu-duty for this ground is £36 6s. 8d.

It is to William Forbes that the present and future prosperity of West Linton as a health resort is due. The lands were treeless and were practically a stretch of rough heather. But at very great financial sacrifice he expended large sums in draining and reclaiming his property with a view to bringing it into a state of cultivation. He planted an enormous quantity of timber and built steadings, founding the farms of South Slipperfield, Gradenholm, Mendick, Medwyn Mains, Medwyn Bank, and Felton. Also, he built in the village an Episcopal chapel (St. Mungo's) and a rectory and school.

William Forbes<sup>1</sup> died in 1891 at the age of 87, and was succeeded by his son, John Houblon Forbes, who was born in 1852: he married in 1883 Alexandra Katherine Mary, youngest daughter of Alexander, seventeenth Lord Saltoun. Mr. Forbes has the degrees of B.A. from Exeter College, Oxford, and B.L. (Scotland). He is a deputy Lieutenant and a Justice of the Peace of Peeblesshire.

## THE PRESENT PROPRIETORS

Mr. Forbes in 1926 sold Medwyn to Mr. Percy P. Harvey, London, who has since resold practically the whole of it in portions, and the following are now the proprietors: (1) Medwyn House (rental, £70), Mrs. Mary S. Wordie; (2) South Slipperfield farm (£327), Mr. Archibald Warden; (3) Slipperfield Loch and farm of Mendick (£150 5s. 9d.), Mr. Frederick Richard Graham-Ycoll; (4) Gradenholm farm (£42), Mr. John K. Smith; (5) farms of Felton, Medwyn

<sup>1</sup> His photograph, which is reproduced, was taken shortly before his death. He was a handsome, very tall man, 6 ft. 3 in.

Cottage, Hyndford Well, and Medwyn Mains (£500 16s.), Mr. Thomas Hislop ; (6) the overseer's house and buildings, with the grass parks to the west of the road leading to the golf course (£67 10s.), Mr. David Ireland, Jun. ; (7) Lynedale House (£78), Misses Cecilia and Jessie Sanderson ; (8) Cottage farm and part of Linton Bank farm (£366 9s. 10d.), Mr. David Strathie ; and (9) the remaining part of Linton Bank farm (about 52 acres) retained for building (£21), Mr. Percy P. Harvey. The lands (2) to (5) inclusive comprise the original property of South Slipperfield.

### TARFHAUGH AND CASTLELAW

CONSISTING OF PARTS OF NORTH, EAST, AND WEST THIRDS OF LINTON,  
PART OF TEMPLE LANDS, AND PART OF SPITTALHAUGH

These farms adjoin the Medwyn estate on the east and south-east, and are situated on the West Water to the south of the village. The earlier name of this stream was Pollentarf, which explains the expression Tarfhaugh. From the name Castlclaw it would be natural to assume that there had been a castle in the vicinity, and this is not unlikely. In Blaeu's atlas, constructed from Timothy Pont's survey in the beginning of the seventeenth century, a "tower" is marked at Linton, which may have been occupied by the Earls of Morton, or by one of the Douglas family who held the greater part of the oxgates of land there.

This property is made up of a part of the North and East Thirds, called Greens, a part of the Temple lands, and a part of the West Third. The Rev. Alexander Forrester, minister of West Linton, acquired the Greens in 1826 by a charter of adjudication, in which the lands are described as being those disposed by Alexander Chatto to Robert Renton, writer, Edinburgh, in 1796, and bounded by Lyne Water on the east, the lands of West Third on the north and west, and the Temple lands on the south.

To the Greens was added in 1831 a part of the Temple lands, evidently the greater portion, viz. : one third which belonged to Robert White, wright, and Thomas Lawson, tenant in Waterside, and both portioners of Linton, described as lying on both sides of the road leading from Linton to Bogsbank, and by annexation within the regality of Drems ; and also those parts acquired by the said Robert Renton in 1796 from Alexander Chatto. This transaction was confirmed by the superior, John Black Gracie, W.S.

In addition to the Greens and the Temple lands, Mr. Forrester acquired from William Elliot Lockhart and his wife Marianne a considerable part of the West Third, comprehending all their lands which

were on the west side of Lyne Water, with pertinents, and including a property in Linton itself, on the east side of the High Street, opposite the Cross, and occupied as an inn or public-house.

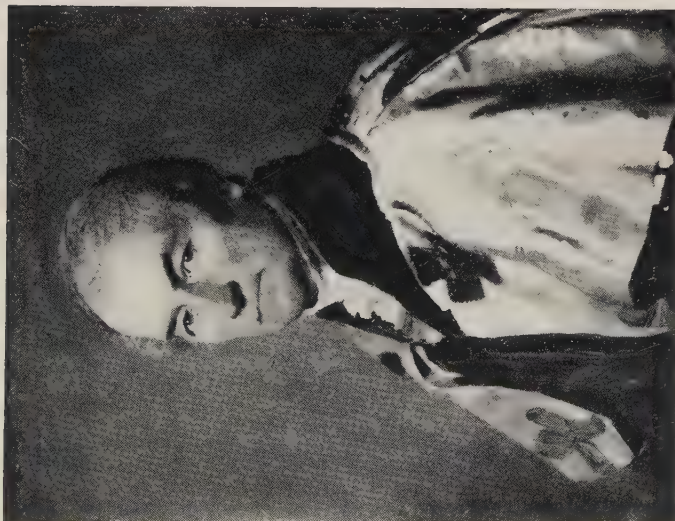
Mr. Forrester was succeeded in 1837 by his son John, a W.S. in Edinburgh, who in 1868 conveyed to Sir William Fergusson of Spittalhaugh a part of the Temple lands, about  $1\frac{1}{2}$  acres, lying to the south of the railway which had been formed, receiving in exchange a similar extent of ground lying on the north side of the railway. This was done so that the railway might serve as the boundary between the respective lands. John Forrester was succeeded in 1883 by his daughters—Helen, wife of Alexander Sholto Douglas, W.S., Edinburgh, and Catherine, wife of the Rev. William Kelly, sometime minister of Newlands—who in 1894 sold the property for £3,500 to John Somerville, residing at Strawfrank, Lanarkshire, and his sister, Margaret Steel Somerville or Halliday, widow of James Halliday, factor, Kirkintilloch. Mrs. Halliday died in 1900, and her two daughters, Mrs. Janet Halliday or Forrest, and Mrs. Margaret Marion Somerville Halliday or Hamilton acquired right to her share as her nearest and lawful heirs. They also succeeded to the share of their uncle, John Somerville, who died in 1902, and thus became joint proprietors of the whole lands. Margaret Marion Somerville Halliday or Hamilton died in 1906 and the property now belongs to her sister, the said Janet Halliday or Forrest, now Hamilton, widow, residing in Lanark.

The present rental is £260.

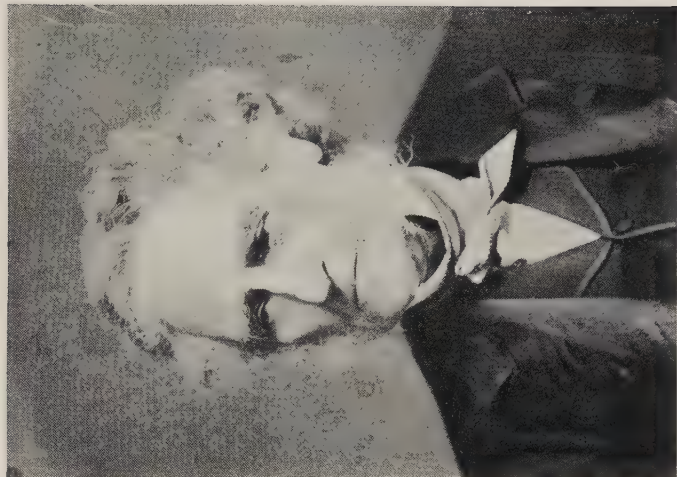
## THE CROFT

### (A PART OF THE WEST THIRD OF LINTON)

This is a small area of ground in the vicinity of the village extending to about  $6\frac{1}{2}$  acres. In 1793 the Rev. Alexander Forrester purchased 8 acres of the "Croft land of Linton" from James Watson, tenant in Westoun of Dunsyre. In all probability this ground was a part of the West Third of Linton, which had been sub feued. In 1814, by an excambion, Mr. Forrester conveyed 6 acres 1 rood and 7 falls of the Croft lands to Robert White and Thomas Lawson, portioners, receiving in exchange their part of the Temple lands (p. 134). Robert White's one half was inherited by his son Thomas in 1819, who sold it in that year to Charles Lawson, who, as son of Thomas Lawson, had also inherited his father's share. Charles Lawson the same year sold the ground for £625 to Thomas Paterson, residing in Linton, whose trustees in 1828 sold it for £670 to John Lawson, portioner in Penicuik. He in 1838 sold it to Adam Brown residing in Linton for £770, from whom William Aitken, spirit dealer, Dock Place, Leith, purchased it in 1845 for £600. William Aitken sold the property in 1861 for £500 to John Ireland, shepherd, Carlops, from whom John Miller, West Linton, purchased it in 1872 for £600. He



LORD MEDWYN



WILLIAM FORBES OF MEDWYN





died in 1875, and the present owner is his son, William Miller, retired gardener.

The present rental is £10.

### HOWIESON HALL

(A PART OF THE WEST THIRD OF LINTON)

This small property, lying between the road from Broomlee to West Linton and the farm of Robinsland, is another part of the West Third of Linton. It was sold in 1833 by Allan Elliot Lockhart of Borthwick Brae for £2,175 to Samuel Graham, farmer, West Linton, who in 1836 sold it for £2,000 to Alexander Gibson Carmichael, younger of Skirling, in whose family it remained till 1858, when it was purchased from Sir Thomas Gibson Carmichael by William Tweeddale, then residing at Kaimhouse. The property, according to the description in the titles, was formerly known as the Crofts, and is now known as Howieson Hall. William Tweeddale died about 1883, and his son, Robert Tweeddale, is now in possession.

The present rental is £31.

### ROBINSLAND

(PART OF THE NORTH AND EAST THIRDS OF LINTON)

This farm lies to the east of West Linton on the road to Whitfield. It forms part of the North and East Thirds of Linton which became the property of Alexander Chatto of Mainhouse about 1787. In 1801 he sold Robinsland to Robert Sanderson, merchant in Edinburgh, who was succeeded in 1804 by his sisters, Janet (who married Robert Hogg, brewer at Abbeyhill), Jean, and Margaret (who married William Stevenson, West Linton). The feu-duty was £26 3s. Scots. They sold it in 1805 to John Hume, farmer at Thorton: he died about 1843, and his trustees in 1847 sold to Jane Craig Dalziel. She died in 1866, and her trustees, in implement of directions, conveyed it in 1867 to the Rev. John Weir, minister of the U.P. Church, Crossford. He died in 1900, and his trustees, as directed, conveyed in 1901 to the present proprietor, Thomas Duncan Weir, C.E., then of Sakondi, West Africa, and formerly of Juile Coatzaocalcos, Mexico. The farm was then valued at £3,750.

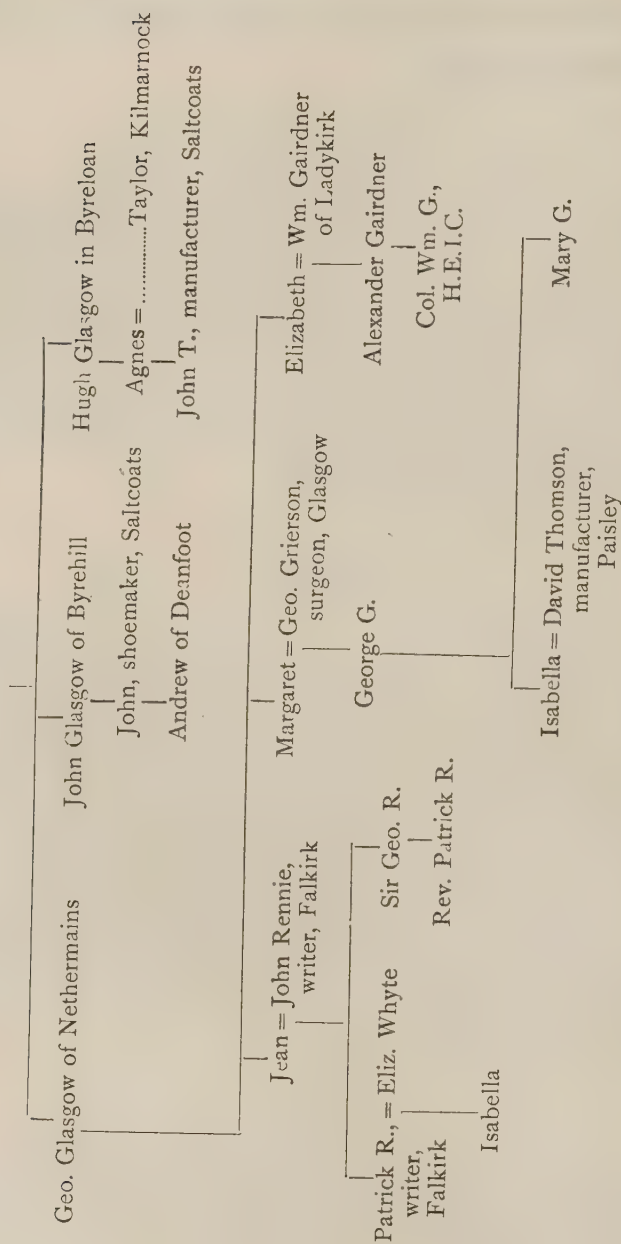
The present rental is £191 10s.

### DEANFOOT

(PART OF THE NORTH AND EAST THIRDS OF LINTON)

North-east of Robinsland is the farm of Deanfoot, which also forms part of the North and East Thirds of Linton. It was sold in 1799 by Alexander Chatto for £1,250 to Andrew Glasgow,

## DEANFOOT



late shipmaster in Saltcoats. The feu-duty was £14 16s. 3d. Scots. In 1820 the following were served as his heirs portioners and of conquest: Isabella Rennie, Isabella Grierson, wife of David Thomson, manufacturer, Paisley; Mary Grierson, and Alexander Gairdner. Their relationship to Andrew Glasgow is explained on p. 146.

Andrew Glasgow left debts behind him, and in 1821 James Allan, one of his creditors, obtained a decree of constitution against the heirs for £2,560 and £63 10s. 7d. of expenses. The following year he assigned his claims for a payment of £3,014 3s. 3½d. to Elizabeth Whyte, wife of Patrick Rennie (see pedigree), who obtained a decree of adjudication, and in 1830 constituted her claim against John Taylor, sometime manufacturer, Saltcoats, and afterwards in Oxford, Chester County, America, as nearest heir of line of Andrew Glasgow. Mrs. Rennie was succeeded in 1831 by her daughter Isabella (one of the heirs portioners of Andrew Glasgow), who in 1832 obtained a decree of adjudication against the other heirs portioners, and also John Taylor, the heir of line. In 1833 she also obtained a decree of declarator of expiry of the Legal<sup>1</sup> on the 1822 adjudication. But her affairs also became involved, and she was sequestrated. She died about 1846, and the trustee in the sequestration was George Glover, surgeon, Edinburgh, who in 1849 obtained a decree of expiry of the Legal on the 1832 adjudication. In 1850 the Rev. Patrick Rennie of Dunkett Glebe, Waterford (eldest son of Sir George Rennie, Director General of Hospitals, Dublin), was served as heir at law of Isabella Rennie; and he, the same year, with consent of her trustee and the commissioners in the sequestration, sold the property to Mary Grierson, St. Andrews (sister of Isabella Grierson, wife of David Thomson), in consideration of £1,000 and the payment of Isabella Rennie's debts, which apparently amounted to about £2,000.

In 1852 Mary Grierson conveyed the property "for certain good causes, etc.," to James Denham, one of the clerks of Session, the above named George Glover, and Charles Morton, W.S., who in 1854 sold it by public roup to John Dobbie, farmer, Campend, near Edinburgh. John Dobbie died in 1859 leaving a settlement according to which his trustees were to hold Deanfoot for behoof of his widow, Agnes Aird or Paterson or Dobbie, in liferent (she was before her marriage with John Dobbie widow of Captain Andrew Paterson of Macao in China) and his two children in fee, viz.: John M'Hutchen Dobbie, farmer, Campend, and Jane Dobbie, wife of Thomas Proudfoot, farmer, Pinkie, Midlothian. Mrs. Dobbie died in 1893, and by arrangement John M'Hutchen Dobbie took over Deanfoot at the price of £4,500.

John M'Hutchen Dobbie died in 1908, and in terms of his settlement Deanfoot passed to his sister, who in 1920 sold it by public roup for £5,400 to Margaret Naismith, wife of David Millar, farmer, West

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<sup>1</sup> The *Legal* is the period within which a debtor whose heritable property has been adjudged is entitled to redeem it by paying the debt.



Garleton, Haddington. She sold Deanfoot the same year to David Hutchison, farmer, Grinsdale, Carlisle, who is now in occupation.

The present rental is £213.

### BADDINSGILL

This is an extensive estate adjoining Fairliehope, Carlops, Rutherford and Medwyn, and extending up the Lyne Valley to the pass in the Pentlands called the Cauldstane Slap, on the other side of which is the source of the Water of Leith. Through this pass runs the old drove road to England. The estate comprises the following properties, which will be separately dealt with: Cairnmuir, Baddinsgill, Stoneypath, and Wakefield.

#### (1) CAIRNMUIR

Descending the drove road from the Cauldstane Slap, the lands of Cairnmuir are at once reached. The original house, ruinous when Pennecuik wrote,<sup>1</sup> stood "at the foot of a green hill" near to the junction of Lyne Water with the Baddinsgill burn. This property is first heard of about the year 1370, when it was granted by Sir James of Douglas (p. 116) to Sir David of Graham: it was then called Lynton Shiels, and the description then given is repeated to this day in the Cairnmuir writs. This is the description (with the variations given in later documents):

"As the Flahope descends into the water of Lyne (or as Fahoupe goes down, etc.) and so ascending the said water as far as the mouth of the Hollharschawburne (Hollershaw burn), and so ascending as far as the high road of the Carnes, and so ascending along that road on the north side to the Cauldstane on the east of the Kippet hill of Estir Carnie (East Cairn hill); and so by the brae on the south as far as the White Cragg (craig), as the water descends to the upper Cragg of the Blak Loch (called How moss); with the common between Lyne's hevedes (the sources of the Lyne); and so from the common between Lyne's hevedes as far as the est hevyd of Dryhope-minich (the easter head of Dryhope mouth); and so from Dryhop hevyd (Dryhope head) on the south along the boundary of the water descending to Minitualloch (Mount Malloch); and so descending as far as the Albecluch hevyd (Allercleughhead or Collicleughhead);

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<sup>1</sup> It must have been rebuilt or repaired, as it was occupied till the close of the eighteenth century.



ELIZABETH

DAUGHTER OF BRYCE SEMPILL OF CATHCART  
 Wife of John Lawson of Cairnmuir (1703-1790)  
 From the Portrait by Sir George Chalmers, Bart., 1768



BARBARA

DAUGHTER OF SIR JOHN CLERK OF PENICUIK,  
 FIRST BARONET  
 Wife of John Lawson of Cairnmuir (1679-1744)



descending on the west as far as the Westircluch-hevyd (or Hairhopehead); and so from the Westircluch-hevyd as far as the Stanelaw above the high road; and so from the Stanelaw as far as the Flahope on the west (or by the said Wester cleugh head as far as the Stanielaw above the high road now called Farmout, and by the Stanielaw as far as Fahoupe on the west called Greneslack)."<sup>1</sup>

Sir David Graham was perhaps connected with the Grahams of Dalkeith, and he had held the lands before, but had lost them by a judgment (in the Linton court of Sir

## LAWSON OF CAIRNMIUR



ARMS.—Gules, a saltire argent, on a chief, or, three garbs of the first.

CREST.—A garb banded proper.

MOTTO.—*Dominus providebit.*

James Douglas) in a case of purpersion<sup>2</sup> before an assize of trustworthy men chosen in Graham's presence. The lands were held of Sir James Douglas as superior, for the usual feudal services, and continued with the Grahams till the close of the fifteenth century.

Prior to the year 1500 Cairnmuir was purchased from Andrew Graham of Knockdolian and Cairnmuir by Sir Richard Lawson of Hierigs,<sup>3</sup> who was descended from the Lawsons of Humbie and

<sup>1</sup> *Reg. Morton*, vol. ii. No. III.

<sup>2</sup> Purpersion or purpresture was an old feudal casualty according to which the vassal forfeited his feu if he encroached on any part of the superior's property.

<sup>3</sup> The Hierigs were lands extending from Heriot's Hospital to Tollcross, at which point there is still a tenement which bears the name;

was a man of importance in his day. He was Lord Justice Clerk in 1488, one of the councillors of James IV during his minority, a plenipotentiary to meet with the English at Coldstream for prolonging the truce of December, 1492, a commissioner to meet with the English at Ayton in September, 1497, when a truce of seven years was concluded, and Provost of Edinburgh in 1492 and again in 1505. He married Janet Elphinstone of the Selmis family, and died in 1507. It was a daughter of his whose beauty led to a fierce combat in "Leith Loan," now Leith Walk, Edinburgh, between Meldrum of the Binns and Sir Lewis Stirling in 1516.<sup>1</sup>

Sir Richard Lawson was succeeded in Hierigs by his eldest son Robert, who fell at Flodden, and in Cairnmuir<sup>2</sup> by his second son Richard, for whom it had been purchased. Richard was then a young man under twenty years, and died shortly after 1513, but his name is immortal, because of his connection with one of the most romantic episodes of Scottish history. He went to Flodden, and returned, and the reason for his preservation in that dire struggle is given, for those who choose to believe it, in the pages of Pitscottie, who had it from the lips of the young man himself.

The King was in the abbey, the army was assembled on the Borough-muir, the artillery was being brought down from the castle, it was the hour of midnight, when "a cry was heard at the Market Cross of Edinburgh." There stood a strange apparition proclaiming a summons on behalf of the enemy of mankind,—

"which desired all men to compear, both Earl and Lord and Baron and all honest gentlemen within the town (every man specified by his own name) within the space of forty days before his master."

Pitscottie cannot tell truly "whether the summons was proclaimed by vain persons, nightwalkers or drunken men," but young Richard Lawson heard it "ganging in his gallery stair forenent the Cross"<sup>3</sup> and marvelled. He cried on his servant to bring him his purse; from it he took a crown which he cast over the stair saying:

"I appeal from that summons judgment and sentence thereof and takes me all whole in the mercy of God and Christ Jesus his son."

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and there is a street about half-way called Lady Lawson's Street formerly Lady Lawson's Wynd. The old manor house was still standing in 1877, in which year it was removed by the Edinburgh Improvement Commissioners.

<sup>1</sup> Grant's *Old and New Edinburgh*, vol. i. p. 42.

<sup>2</sup> The Hierigs branch of the family retained a mid-superiority, holding themselves of the Grahams, who in turn held of the Morton Douglasses, the owners of the West Linton regality.

<sup>3</sup> The Lawsons had a house in Edinburgh "forenent the Cross."



And so Richard Lawson went to Flodden with the army, fought and returned, leaving his dead brother behind, and thereafter, says Pitscottie, he swore to me :

“ There was no man that escaped that was called in this summons but that one man alone which made his protestation and appealed from the said summons but all the lave were perished on the field with the King.”<sup>1</sup>

Richard Lawson died young, though not at Flodden. He had apparently no children, but he was survived by two younger brothers, Partick and Mr. James Lawson.<sup>2</sup> Patrick succeeded to Cairnmuir, and held it for a considerable time : he was succeeded by his nephew, Mr. George Lawson, third son of his brother, Mr. James Lawson. On 26th June, 1558, this Mr. George, who had also Bordland (p. 84) and Skiprig, was infeft as his uncle's heir in the £10 lands of Cairnmuir, the sasine proceeding on a precept of *clare constat* from the superior, John Lawson of Hieriggs. He married Janet, daughter of William Stewart of Traquair, and widow of William Sinclair of Blans, and to her he gave Cairnmuir in liferent.<sup>3</sup>

Mr. George Lawson was succeeded about 1595 by his son James, who married Elizabeth Scott, daughter of William Scott of Montbenger. They had a charter in 1609 from Alexander Horsburgh of that Ilk of the land of Marcus (Eddleston), in 1611 an annual rent of 1,000 merks from the lands of Horsburgh (Innerleithen), and in 1616 Sir Archibald Douglas of Spot disposed to them a portion of Northshiels (Eddleston). They had three sons, Mr. James, who succeeded to Cairnmuir ; Mr. John, who is frequently mentioned as servitor of his kinsman John, Earl of Traquair, and who married Margaret Scott, daughter of Ronald Scott of Deanshouses, her mother being Elizabeth Lawson ; and Mr. George, who is called servitor to Sir Ludovic Stewart and became a writer in Edinburgh, and had a charter of the lands of Horsburgh in 1633 in security of a loan of 18,000 merks. James Lawson died about 1630. In the seventeenth century the other branches of the Lawson family—viz.: the Humbie, Hieriggs, Lochtullo, Cambo and Boghall branches—became extinct, and the

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<sup>1</sup> *Lindsay of Pitscottie*, 3rd edition, p. 174 ; see Sir Walter Scott's *Marmion*, canto v.

<sup>2</sup> He was Provost of Edinburgh, 1532-1535, and one of the original Senators of the College of Justice, instituted in 1532. On 19th February, 1516-17, he obtained from James, Archbishop of Glasgow, a five years lease of Skiprig in the parish of Eddleston, of which lands it is said he was formerly in possession. This lease was renewed in 1521. He died before 1535, in which year his sons, John and Patrick, for whom James Lawson of Hierigs acted as tutor, were rentalled in Skiprig, “ Patrik broukand efter John failyeand barnis of the said Johnis body lauchfully to be gotten.” John and Patrick died childless, and their brother George was their heir (*Duns Castle Report*).

<sup>3</sup> Peebles Protocols.

Lawsons of Cairnmuir were then, according to Nisbet in his *System of Heraldry*,<sup>1</sup> chiefs of the name.

Mr. James Lawson of Cairnmuir, who succeeded, added to the family possessions in 1653 the lands of Ingraston (p. 163) and Medwinhead (p. 164), which he bought from the Earl of Traquair, lord of the regality of West Linton. This laird was appointed (15th February, 1659) one of the Peeblesshire representatives on the committee of Parliament whose duty it was to put "the Kingdom in a posture of defence." He married Elizabeth, daughter of Gilbert Brown of Hartree, and died before February, 1664.

His son James, who succeeded, although a royalist by tradition and inclination, had no sympathy with the stern measures used against the Covenanters, and was accordingly summoned before the Lords of Council and Session in June, 1684, for not "dispersing conventicles." That summons might well have come to almost any of the Peeblesshire lairds. As a class they were tolerant and had kindly feelings towards their herds and tenants. James Lawson had three sons, John, who succeeded him, George, and Alexander, who was shore-master at Leith; also a daughter, Elizabeth, who married John Brown of Scotstoun.

John Lawson, the next laird, bought the property of Netherurd and Bryandland (p. 206) in 1699. He married Barbara, a daughter of Sir John Clerk of Penicuik, Baronet, and their elder son John succeeded in 1704. There was another son, James, who died in Edinburgh in 1723.

John Lawson married Elizabeth, daughter of Bryce Sempill, seventh laird of Cathcart in Renfrewshire, the first laird being the second son of John, Lord Sempill, who fell at Flodden. This marriage was a runaway match, for the parents of Elizabeth had chosen another husband for her. But the lovers were steadfast, and waited for a suitable opportunity, and so one night, when on a visit to her grandfather, Sir Samuel Baillie, at Lamington House, she made her escape through the window and galloped off with young Lawson, who was waiting with horses. The marriage was a happy one, and "Lady Cairnmuir," as she was called, had a family of three sons<sup>2</sup> and two daughters, the sons succeeding in turn to the property.

Richard, the eldest, was a "worthy young man," entered the army in 1744, and was a lieutenant in General Price's regiment which was brought over from Flanders in October, 1745, to cope with the Jacobites. After a fatiguing march through deep snow from Newcastle to Edinburgh he fell sick of an "epidemical fever," and died on 6th December the same year.

<sup>1</sup> There are several inaccuracies in the pedigrees of the Hierigs and Cairnmuir Lawsons, as stated by Nisbet, but his account should be referred to for the additional particulars given (vol. ii. 2nd ed. p. 95). These have been rectified in the pedigree here given.

<sup>2</sup> A fourth son is mentioned in Douglas's *Baronage of Scotland* (1798), p. 586, viz., James, surgeon to General Horne's regiment.



WILLIAM LAWSON OF CAIRNMUIR

(1730-1806)

From the Portrait by Sir George Chalmers, Bart., 1768



MARGARET

DAUGHTER OF ARCHIBALD HAMILTON OF DALZIEL  
First Wife of William Lawson of Cairnmuir (1735-1771)  
From the Portrait by Sir George Chalmers, Bart., 1768



Lady Cairnmuir, then a widow, had a visit at Cairnmuir from Prince Charlie's highlanders. None of her sons were with her, but she was quite equal to the occasion. The highlanders surrounded the house and some of them burst into her room and demanded food. Coldly the lady asked by whose leave they dared to enter her room without uncovered heads. The rebuke had its effect, off came the white cockaded bonnets, and Lady Cairnmuir then provided a substantial meal for the Prince's hungry followers. William Lawson, her youngest son, met the highlanders after they had left the house, and sad to relate, they commandeered the boy's pony, and he had to finish his way home on foot. Lady Cairnmuir lived to an advanced age, and saw the new house at Netherurd built. It was called New Cairnmuir, not very appropriately, but after it was sold to John White (p. 205) the old name of Netherurd was resumed.

Of the three sons of Lady Cairnmuir, Richard, as we have seen, died in 1745. He was succeeded by John, who married Isobel Dalrymple, daughter of Capt. John Dalrymple of the 26th regiment, and died without issue about 1754, succeeded by his brother William. William Lawson married Margaret, a daughter of Archibald Hamilton of Dalziel and Rosehall, and in 1772 executed a conveyance of his property to the heirs male of that marriage or of any subsequent marriage, whom failing to Marion Lawson, his eldest daughter. After Margaret Hamilton's death, he married in 1776 Macfarlane, daughter of John Spottiswoode of Spottiswoode in Berwickshire.<sup>1</sup> William Lawson died in 1806, and John, the eldest son of the second marriage, succeeded, and was served as heir of line and provision in 1807.

John Lawson was by profession a Writer to the Signet, and, like his father, was twice married. His first wife was Isabella, daughter of William Robertson of Loganhouse, Depute Keeper of the Records, by whom he had a family of one son and two daughters.

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<sup>1</sup> The claims of the Lawson family to royal descent and to kinship with the great Scottish families are beyond dispute. The marriage of William Lawson with Macfarlane Spottiswoode gave them descent not only from James I of Scotland but from Edward III of England. Macfarlane Spottiswoode's maternal grandfather was the second Viscount Arbuthnot, who was seventh in descent from William Keith, third Earl Marischal of Scotland, whose maternal grandmother was Annabella, Countess of Huntly, daughter of James I of Scotland, and his wife, Joan Beaufort, grand-daughter of John of Gaunt, son of Edward III.

The previous intermarriage with the Sempills also gave a royal descent, as Lady Cairnmuir was tenth in descent from James II through a noble line including the Hamiltons, Earls of Arran, the Setons, the Morton Douglasses, and the Baillies of Lamington. She was also connected with the Colvilles of Ochiltree, the famous Sir James Kirkcaldy of Grange, Lord High Treasurer for Scotland, and the Kerrs of Ferniehirst; and there is a third royal descent through Joanna, daughter of James I of Scotland, who was wife of James, 1st Earl of Morton.



William the son went to Canada in 1836, and died there without issue in 1847. By his second marriage with his cousin Janet, daughter of James Brown of Edmonston, Lanarkshire, he had a family of two sons and four daughters. The two sons, James Brown Lawson and John Richard Lawson, went to New Zealand about the middle of the nineteenth century, where they purchased property. John held a commission in the Militia during the Maori War and greatly distinguished himself. He died in 1908, and his elder brother James died in 1901 leaving a family.<sup>1</sup> Of the daughters none are now alive. One of them, Isabella, married Sir John Boyd of Maxpoffle, Roxburghshire, who was Lord Provost of Edinburgh in 1888; two of her sons are still alive, being Mr. John Boyd of Maxpoffle, advocate, who was Sheriff Substitute of Lanarkshire from 1897 to 1921, and Mr. William Boyd, W.S., Edinburgh, to whom the writer is indebted for much of the information here given about the Lawson family.

John Lawson, who claimed to be the 22nd representative of the line, was universally respected and esteemed, and was a fine type of the old Scots laird of long pedigree, genial, kindly and courteous. He died in 1834, but before that misfortunes fell upon the family. Ingraston was sold in 1830, and Netherurd in 1834. Cairnmuir itself was sold in 1839. There had been Lawsons in Cairnmuir for over three centuries, but the time had come for them to go.

The severance of that long connection was regretted by all the people in the district, for, as an old woman at West Linton said, "the folk a' liket the Lawsons of Cairnmuir, they were aye sae kindly."

John Lawson's trustees in 1839 sold Cairnmuir to Charles Ferrier of Baddinsgill, accountant in Edinburgh, for £7,000, the disposition being granted with consent of the testator's son, William, who lived in Canada. His widow, who was entitled to an annuity of £140 from the lands, refused to concur in the sale, and £4,000 was retained from the price and lodged in bank to meet her claims.

Charles Ferrier died about 1851 leaving two daughters, Catherine Montgomery Ferrier, wife of Richard Gordon,<sup>2</sup> accountant, Edinburgh, and Magdalene Ferrier. They had a precept of *clare constat* that year from the Earl of Wemyss and March, the superior, and they conveyed the property in implement of directions left by their father to Mrs.

<sup>1</sup> The present representative of the Lawson family is a grandson, James Charles Lawson, Brooklyn, Wellington, New Zealand. His father, Percy Sempill Lawson, although over military age, came over with the New Zealand contingent and served in France during the Great War; he died in 1921 from illness contracted when on service.

<sup>2</sup> He was a son of William Gordon of Halmyre (p. 38).

Gordon and her heirs, whom failing to Magdalene Ferrier and her heirs. Magdalene Ferrier married Dr. Archibald Gordon, C.B., Inspector General of Hospitals, and there was one son of the marriage, Charles Ferrier Gordon, who succeeded to the property in 1872 and had a precept of *clare constat* as nephew and nearest lawful heir to Mrs. Gordon. In 1912 the property was sold by Charles Ferrier Gordon's *curator bonis* to the present proprietor, Patrick Chalmers Bruce, Paper Maker, Kinleith, Currie.

## (2) BADDINSGILL

Opposite the site of the house of Cairnmuir is Baddinsgill, a corruption of Baldwin's Gill. Under the name Baudyngisgill it appears in the Morton Register in 1376 as let to William, son of John, for one year at £5. In 1411 Baddinsgill and Stoneypath were granted by Sir James Douglas to his natural son Sir James Douglas of Robertson (p. 116), but the lands came back to the main line of the Morton family, and "Baldonisgill" is included in the rental of the barony of Linton about the year 1600. The lands were held in property during the seventeenth century by the successive lords of regality, the Earls of Morton, Traquair, Teviot, and Tweeddale until 1680, when the Earl of Tweeddale feued them along with Blyth (p. 168) for a "great sum of money" to David Plenderleith, writer in Edinburgh, in liferent and his son David in fee. The feu-duty was £10 13s. 4d.

David Plenderleith, who was an advocate, and afterwards became proprietor of Kailzie,<sup>1</sup> sold Baddinsgill in 1732 for 11,500 merks to James Dickson,<sup>2</sup> tenant in Wester Happrew, who in 1762 conveyed it to himself and his wife Marion Paterson, in liferent, and to William Dickson in fee. This William Dickson was a grandson of William Dickson, tenant in the Mains of Kirkurd (a brother of the said James Dickson), and a son of James Dickson, tenant in Ingraston. William Dickson had two sisters, Agnes, who predeceased him and married William Watson, Coulter, and Margaret, who married James Noble, Lasswade: he died in 1815, and was succeeded by the two daughters of Agnes, and by his sister Margaret as heirs portioners. The two daughters who took their mother's share were Agnes Watson, who married James Hamilton, nailer in Biggar, and Grizel Watson, who married James Gilbert, farmer at Addiston Bank, Midlothian. In 1820 Mrs. Noble died leaving a will, in accordance with the terms of which her trustees the same year conveyed her share of Baddinsgill to Mrs.

<sup>1</sup> Vol. ii. p. 546.

<sup>2</sup> He became known as "Old Barinsgal," and was a conspicuous figure at the sheep markets.

Hamilton. But this will and the trustee's conveyance were reduced by the Court of Session and House of Lords in 1829 as the result of an action at the instance of Mrs. Gilbert. The decision in the Court of Session was given by Lord Cringletie, and the principal reasons for reduction of the will were that the testator was too ill to give instructions, that it was signed by notaries without authority, that it was vitiated by erasures, and lacked the name of the writer and the designations of the witnesses.

The will having been reduced, Mrs. Noble's share of the property descended to her nieces, Mrs. Hamilton and Mrs. Gilbert, as heirs portioners, who had a precept of *clare constat* from the Earl of Wemyss as superior. In 1830 they sold Baddinsgill to Charles Ferrier and his wife Christian Montgomery for £4,400. Thereafter it shares the story of Cairnmuir and Stoneypath.

### (3) STONEYPATH

Adjoining Cairnmuir, and lying between it and the lands of Medwyn is Stoneypath, no doubt a descriptive name. Along with Badinsgill it was granted in 1421 to Sir James Douglas, and in 1558 there is record of James Douglas of Stoneypath who had a charter of Wakefield (p. 157). It is not unlikely that it was owned in property by the Earl of Morton when the regality of Linton was sold to the Earl of Traquair in 1631. This might almost be assumed from the fact that no proprietor of Stoneypath was called in the action of reduction by Traquair in 1634. According to Pennecuik, "Stainney Path belonged of old to the name of Douglas, lately to James Cleland, barber-chirurgion<sup>1</sup> in Edinburgh, and now to Mr. Walker, minister of Kirkurd."

James Cleland was a son of Gavin Cleland of Underbank (an officer in the service of Gustavus Adolphus), who died in 1635. He married a daughter of David Kennedy of Craig, and was succeeded in Stoneypath by his eldest son David,<sup>2</sup> who in turn was succeeded by his son John. These are the links according to Chambers, but there is record of a precept of *clare constat* in 1706 by the Earl of March to John Cleland as nephew of James, and son of David, which indicates a different order of succession. There is no doubt, however, that the family held the lands till 1706, after which they became the property of the Rev. Alexander Walker, minister of Kirkurd, who also, as we have seen, bought up the oxgates of the North and East Thirds

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<sup>1</sup> The craft of the barber was then associated with that of the surgeon.

<sup>2</sup> Chambers, *History*, p. 465. David's sister Margaret married the Rev. Alexander Bruce of Garlet, minister of Kirkurd; their daughter Rachel married a cousin, Dr. John Cleland of Edinburgh, and their daughter Margaret was mother of the Rev. John Jamieson, D.D., author of the *Scottish Dictionary*.

(p. 131). Thereafter, along with the oxgates, the property passed to his son William and then to Alexander Chatto and his son John.

In 1803 John Chatto sold Stoneypath along with a part of the oxgates to John Ker for £4,000. Three years later Ker sold Stoneypath to Dr. Colin Lauder, Edinburgh, for £5,250. In 1807 this proprietor, as we have seen (p. 141), sold a small part for £320 to William Keyden, W.S., which is now part of the Medwyn estate, and the rest of the property in 1809 to Alexander Keith of Dunnottar for £6,750. In 1830 Sir Alexander Keith of Dunnottar succeeded as eldest son of William Keith, accountant, Edinburgh, the only brother of Alexander Keith, the feu-duty as stated in the precept of *clare constat* being £4 Scots. Sir Alexander Keith, who married Georgina Lamont, was succeeded in 1833 by his only daughter, Helen Margaret Oliphant Keith, who conveyed the property to her father's trustees, by whom it was sold in 1836 to Charles Ferrier for £5,250.

#### (4) WAKEFIELD OR WALKMANFIELD

This property is below Baddingsgill on the west side of Lyne Water, and opposite Stoneypath. There is no record of the vassals prior to 1519, when a charter of the lands was granted by the Earl of Morton to Alexander Douglas of Mains and Margaret Stewart, his wife.<sup>1</sup> Their son, Matthew Douglas of Mains, succeeded prior to 1550, and on 25th November, 1552, he granted a tack for 19 years at a yearly rent of 10 merks to James Douglas of Stoneypath. Six years later, on 25th July, 1558, Matthew Douglas granted to James Douglas a charter of the lands with a blench holding on payment of 1d. Scots. This had the effect of creating another superiority, the granter being the vassal of the Earl of Morton, who in turn held of the Crown, and the grantee being the vassal of the granter. The charter, however, was only intended to secure a loan and was evidently of the nature of a wadset.

Matthew Douglas was succeeded by Malcolm Douglas, to whom on 13th November, 1572, James, Earl of Morton, gifted the ward of the £5 lands of Wakefield since the death of Alexander Douglas of Mains, his grandfather; and there was litigation regarding the lands in 1577 and later between Malcolm Douglas and the Scotts. On 13th July, 1619, William, Earl of Morton, granted a precept of *clare constat* to Alexander Douglas of Mains as heir of Matthew Douglas of Mains, his uncle, in Wakefield. In 1623 Alexander Douglas granted a bond for 3,000 merks to Archibald Waddel, portioner of Thornydykes, and James Douglas, portioner of Over Gogar, as a result of which they, in course of time, became proprietors of Wakefield. Archibald Waddel, probably a son of the portioner of Thornydykes, and a soldier with the rank of major, conveyed his half in 1669 to Alexander Douglas of Over Gogar, later designed as "of Morton."

<sup>1</sup> Barns Papers.



The half held by James Douglas, portioner of Over Gogar, belonged in 1667 to his son, William Douglas of Morton, who conveyed it in that year to his son, Alexander, of Morton.

Alexander Douglas thus acquired both halves of Wakefield, and these were conveyed in 1695 to William, Lord Douglas, afterwards first Earl of March.

The right conveyed as above stated by the charter of 1558 to James Douglas of Stoneypath passed in 1560 to Robert Scott of Wamphray and Bonnington<sup>1</sup> in liferent, and John Scott his son in fee. John Scott "of Wakefield" in 1563 conveyed the lands to Adam Scott of Wamphray and Bonnington, his brother, to whom succeeded Simon Scott, his brother, the grandfather of Mr. William Burnet of Barns, and Burnet in 1625 was served as heir to John Scott. On 7th November, 1628, an agreement was entered into between William Burnet's father, John Burnet, and Alexander Douglas of Mains for their redemption, and by it William Burnet was entitled to 280 merks and a 19 years tack after their redemption for the yearly rent of 10 merks and 2 stones of wool. The value of the lands was 4,500 merks, and it was to be remitted to four men to determine what ought to be paid to Burnet in lieu of his 19 years lease.

Mr. William Burnet received in 1671 a gift of the non-entry duties from the over-superior, Archibald, third Lord Ruthfurd, and in virtue of that gift, he took out a summons of declarator against Major Archibald Waddel, the portioner of Thornydykes. In 1675 he assigned the gift to his children, Walter, Henrietta, Christian, Anna, and Mary, who the same year transferred it to their eldest brother William. That was confirmed in 1675 by a decree of transference obtained against Andrew Waddel of Thornydykes and others, including James Lawson of Cairnmuir.<sup>2</sup> William Burnet was succeeded by his son William, who conveyed his right in 1683 to the Earl of Tweeddale. In 1687 the Earl of Tweeddale sold it to William, Duke of Queensberry, from whom it passed to his son, William Douglas, Earl of March.

William, Earl of March, thus became full proprietor, and he also held the over-superiority owing to the sale by the Earl of Tweeddale of all his Peeblesshire estates in 1686 to the Duke of Queensberry.<sup>3</sup> The property continued with the Earl of March and his successors until 1917, when it was sold to Patrick Chalmers Bruce.

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<sup>1</sup> See vol. ii. p. 367 (footnote).

<sup>2</sup> James Lawson held a wadset for £1,000 Scots over one half of the lands granted to his grandfather, James Lawson, by Isobel Douglas, widow of Archibald Waddel, with consent of her brother Alexander Douglas of Mains. This wadset passed in 1655 to the grantee's son James on his marriage to Isobel Muirhead, daughter of John Muirhead of Linhouse; and later to James Lawson, the son of the marriage, who in 1682, with consent of his son John, conveyed it to the Earl of Tweeddale.

<sup>3</sup> See vol. ii. p. 305.



The present rental of the entire Baddinsgill property is £1,407.

## NORTH SLIPPERFIELD

This property, known as the Middle Third and Ewe Third<sup>1</sup> of Slipperfield or Kingseat, adjoins Baddinsgill and Wakefield on the north and north-east, the Loch Third or South Slipperfield, and Garvald on the south, and Medwinhead on the north. As we have seen (p. 112) Slipperfield was a possession of the monastery of Holyrood prior to the Reformation. The Loch Third was feued in 1559, and probably the Middle and Ewe Thirds would be feued about the same time.

## RUSSELL OF KINGSEAT



ARMS.—Argent, a chevron between three powets within a bordure sable.

CREST.—A fountain proper.

MOTTO.—*Agitatione purgatur.*

The Middle and Ewe Thirds, after the Reformation, were held by different proprietors.<sup>2</sup> In 1599 William Hamilton, merchant, burgess and bailie of Edinburgh, sold the Middle Third to William Burnet of

<sup>1</sup> The high-lying part of the lands suitable for sheep pasturage ; hence the name.

<sup>2</sup> According to Pennecuik the property belonged of old to Pennecuik of that ilk, and there is record in 1586 that John Pennecuik, younger of that ilk, and Euphame his spouse were superiors of part of Slipperfield.

Barns, and he held it at least till 1623. No clear information is available then about the Ewe Third, but it seems to have belonged to Sir John Drummond<sup>1</sup> in 1593, and to have been tenanted by Thomas Johnston.

Both of these Thirds, before 1643, came into the possession of James Russell, who was descended from a family with Stobo connections. He gave to the property the name of Kingseat (from the hill of that name), sometimes written Kingsyde.

His son William had a precept of *clare constat* in 1649 from the Governors of Heriot's Hospital as superiors, according to which the feu-duty for the Middle Third was £13 6s. 8d. with £3 16s. 4d. of augmentation, a total of £17 3s. Scots, and for the Ewe or Yow Third £12 17s. William Russell married Alison Brown, and dying before 1683, was succeeded by his son James, who had a precept from the superiors in 1690; and James in turn was succeeded by his son, Mr. William, who became minister of Morham and afterwards of Stobo,<sup>2</sup> and had a precept from the superiors in 1698.

About 1738 the property was purchased from William Russell by Mr. Andrew M'Douall, a celebrated lawyer in his day, who became a Lord of Session with the title of Lord Bankton. He was the second son of Robert M'Douall of Logan,<sup>3</sup> and his wife Sarah, daughter of Sir John Shaw of Greenock. After Lord Bankton's death the property passed to the main line of the family. Lieut.-Colonel Andrew M'Douall of Logan was the owner in 1802, in which year he bought up the superiority for £212 10s. stg. from the Town Council of Edinburgh as trustees for Heriot's Hospital. He was M.P. for Wigtown, and in 1830 he conveyed the property to himself in liferent and his son James in fee. James M'Douall, who succeeded his father in 1834, was born in 1796, joined the 2nd Life Guards in 1815, of which regiment he became the colonel in 1845, and died in 1872, succeeded by his eldest son James, who in 1896 was succeeded by his son, Andrew Kenneth M'Douall of Logan. That proprietor sold the property in 1919 to the present owner, Sir George Henry Sutherland.

<sup>1</sup> He also acquired Whitfield (see page 174).

<sup>2</sup> The "tory-trooper" minister who gave so much trouble to the Presbytery at the accession of George I (Chambers, *History*, pp. 220 and 463). Apparently it was his daughter Grizel who married James Oswald of Spittal (now part of Newhall), the victim of a shooting accident on Slipperfield Loch in 1726. According to his instructions his dining-room table, which was of marble, was placed over his grave as a tombstone. This curious monument disappeared from the Linton churchyard about 1830 (*Ibid.* p. 461).

<sup>3</sup> The M'Doualls of Logan in Wigtownshire are a very old family, so old that the origin is legendary. They are descended from the old Lords of Galloway, and bear for their arms a lion rampant gorged with an antique crown, in remembrance, says Sir George Mackenzie, of *Dovallus*, their ancestor killing the tyrant *Nothatus*, who lived many years B.C. (Nisbet's *Heraldry*, vol. ii. p. 99).



JOHN LAWSON OF CAIRNMUIR (1780-1834)  
From the Portrait by Sir John Watson Gordon



Sir George Henry Sutherland was born in 1866, and has been twice married—in 1890 to Georgiana, daughter of Lieut.-General Sir John Plumptre Carr-Glyn, K.C.B., and in 1904 to Elizabeth, daughter of Lieut.-General Sir James Wolfe Murray of Cringletie, K.C.B. He has held important positions in India—President of Bengal Chamber of Commerce (1900-1), Sheriff of Calcutta (1901 and 1908), Mercantile member of Bengal Legislative Council (1900-2, 1907-8), and Commissioner of Port of Calcutta (1903-4, 1907). He is a Justice of the Peace and a Commissioner of Supply for Peeblesshire.

The present rental is £587.

#### GARVALD

This property lies south of Slipperfield.

Early in the thirteenth century William Comyn, Earl of Buchan, granted to his sister Idonea and her husband, Sir Adam FitzGilbert, the lands of Blyth, Ingraston, and Spittalhaugh (p. 112). From the description it is evident that these lands comprised all the ground between Slipperfield and the county boundary at Dolphinton, and included Garvald, Medwinhead and Kippet.

The charter is in these terms :

Be it known to all present and future that I have given and granted, and by my present charter confirmed to Adam, son of Gilbert, with Idonia my sister in free marriage, Blith, Ingolneston, and the Halch, viz. : by these marches, as Polintarfe falls into Lyne, from the marches of the canons of Holyrood (*i.e.* Slipperfield), as the Lyne descends as far as the boundaries of the new land (Newlands) downward, and thence as the road goes from the Lyne to the Tarfe, and along the Tarfe upward to its source, and from the source of the Tarfe as far as the Mayduane (Medwin), and from the Mayduane as far as Qwitilaw, and from there as far as the source of the Garvalde, and from the Garvalde southward as far as Mynidicht (Mendick) as the marches of the canons descend beyond Mynidicht as far as the source of the Alirburn, and from there downward as far as the Blacfurde. To hold to him and his heirs, . . . of me and my heirs, . . . making therefor forensic service effeiring to four ploughgates of land. And I grant to the said Adam that his stud shall have common pasturage with my own, and that his men of Blith, and of the Halch shall have common pasturage between Lynton and Blith with my men of Lynton.<sup>1</sup>

<sup>1</sup> *Reg. Morton*, ii. No. 5.



Subsequently about 1250 Christiana, a daughter of Idonea, granted a part of these lands to a chapel dedicated to the Virgin Mary. The description is simply "all my land of Ingolistun," and the bequest was made by her in the *liege poustie*<sup>1</sup> of her widowhood for the weal of her soul, and of the souls of her father and mother, of Sir Henry her son, of Alexander, King of Scotland, of Sir Walter Comyn and Sir Alexander, Earl of Buchan, of Sir John Comyn, of Gamelin, parson of Kilbucho, and Marion, his sister, and of Gilbert, parson of Kilbucho. The deed contained a provision that "the men of Blyth shall have easement with their cattle next the marches near the water as they were wont to have in the time of Adam the Scot, and William the Bold, of good memory."<sup>2</sup>

This bequest is not referred to again, and it may be presumed that it lapsed or was revoked. After the Comyns disappeared all these lands came into possession of the Morton family, and in 1600 Ingraston, Garvaldfoot, Medwinhead (or Maidenhead) and Spittalhaugh all appear in the rental of the barony of Linton. Garvaldfoot and Medwinhead were doubtless originally part of Ingraston.

The present property of Garvald includes Garvaldfoot and a part of Ingraston.

#### (1) GARVALDFOOT

This part lies in the vicinity of the junction of the Garvald burn with the Medwin. In the sale by the Earl of Morton of the regality to the Earl of Traquair in 1631, there was excepted from the clause of warrandice a wadset over Garvaldfoot to Nicol Brown, showing that these lands were not held by a vassal, and that the right of property belonged to the seller.<sup>3</sup> The lands must have been feued during the seventeenth century, and possessed in two halves, for in 1706 there is record of a precept of *clare constat* to William Douglas of Garvaldfoot of both halves as son and heir of William Douglas and his wife Liliass Russell. The feu-duty payable was 30 merks. William Douglas was succeeded by his son William in 1725, who was then in minority, and from whom the property passed before 1775 to his only child Joanna, who married Sir William Dick of Prestonfield. Her son, Sir Alexander Dick, inherited in 1799, in which year he had a precept of *clare constat* from the superior, William, Duke of Queensberry.

In 1808 Sir Alexander Dick, who died that year unmarried, conveyed the lands to his sisters Mary, Anne,

<sup>1</sup> This term, from *legitima potestas*, signifies a state of health in which a person is entitled to dispose of heritable property without the deed being subject to challenge under the law of *death-bed*.

<sup>2</sup> *Registum Glasguense*, p. 127, No. 150.

<sup>3</sup> It would appear that the lands, or part of them, had previously been held by vassals. One has been traced—William Alexander, who died in 1586 in possession of three fourths of Garvaldfoot.

Agnes Joanna, and Elizabeth Douglas Trotter Dick. Mary Dick married the Rev. David Wauchope, second son of John Wauchope of Edmonstone, and her share passed in 1826 to her son David. Anne married John Smith, W.S., and Elizabeth married Lieut.-Colonel Duncan Macgregor. In 1826 the property was sold by these proprietors to John Allan Woddrop of Dalmarnock for £11,650, who also purchased in 1830, as aftermentioned, the lands of Ingraston. He was succeeded in 1852 by his only son, William Allan Woddrop, who died in 1911, and the property (including the greater part of Ingraston) was held by his trustees till 1926, when it was sold to Mr. Emra Holmes, estate agent, Castle Douglas. He exposed the lands for sale in lots, and the following are now the principal proprietors: (1) Garvald House and policies, Mr. John White, Edinburgh; (2) the Home farm and part of Ferniehaugh (£317 10s.), Mr. Peter Lando; (3) Ferniehaugh farm (£240), Lieut.-Colonel Arthur Henry Carr Sutherland, O.B.E., M.C., Legion of Honour,<sup>1</sup> a son of Sir George Henry Sutherland (p. 161); and (4) the farm of Ingraston (£200), Mr. Emra Holmes.

#### (2) INGRASTON

This property was acquired by James Lawson of Cairnmuir in 1653 from the Earl of Traquair. It was sold in 1830 for £6,250 by the trustees of John Lawson to John Allan Woddrop, who the same year by arrangement sold a part (now called Kippit) to Richard Mackenzie of Dolphinton for £1,850. The remainder has since been part of the Garvald estate.

#### KIPPIT

This piece of land lies south of Garvald, in the vicinity of Dolphinton station, and includes Kippit hill, a curious tumulus on which is erected a memorial to Captain Kenneth Mackenzie, who fell in the Great War. Originally a part

<sup>1</sup>He was born in 1891, joined the Black Watch in 1910, served in India, and in the Great War, and was military secretary to General Lord Horne, commanding the 1st Army in France. He married (1919) Ruby, daughter of the late Captain W. G. P. Miller of Thistleton, Lancashire. He is a Commissioner of Supply for Peeblesshire.

of Ingraston, it was sold, as we have said, in 1830 by John Allan Woddrop for £1,850 to Richard Mackenzie of Dolphinton, Depute Keeper of His Majesty's Signet in Scotland. He was one of the trustees of John Lawson of Cairnmuir. From him it passed in 1851 to his eldest son, John Ord Mackenzie, W.S., who had a precept of *clare constat* from the Earl of Wemyss and March, the feu-duty being 1d. Scots. He conveyed the lands in 1901 to his son Kenneth, who married May Eudora Horsbrugh. Kenneth Mackenzie fought in the Great War and was raised to the rank of captain: he was killed in 1918 and left a will in favour of his eldest son, John Moncrieffe Ord Mackenzie.

The present rental is £197 11s. 6d.

#### MEDWINHEAD

This moorland estate, sometimes called Maidenhead, lying to the north of Garvald and on the east of the Medwin Water, was probably originally part of Ingraston. It was acquired in 1653 (along with Ingraston) by James Lawson of Cairnmuir and conveyed in 1856 by John Lawson's trustees to Frederick William Watkins, lieutenant in the Royal Engineers, eldest son of Margaret Spottiswoode Lawson (a daughter of John Lawson), who married Francis Wilmer Watkins, surgeon, H.E.I.C. Under the settlement of John Lawson his son William was entitled to the residue: he died in 1847 leaving a will in favour of his sister Margaret. She died in 1849 without a will, and her son Frederick as her heir at law was accordingly entitled to a conveyance from John Lawson's trustees.

Frederick William Watkins died in 1874, and his brother, the Rev. John Watkins, succeeded, and was proprietor till 1899, when he sold the property for £3,500 to James Faed, engraver, 7 Barnton Terrace, Edinburgh. He died in 1911, and his trustees, in accordance with his directions, conveyed the property in 1912 to his son, James Faed, artist, St. John's Wood, London; he died in 1920 leaving a settlement to trustees, who in 1926 sold Medwinhead to Sir George Henry Sutherland (p. 161).

The present rental is £255.

## BLYTH

This was a £10 land of old extent, and is bounded by Netherurd and Dolphinton on the west, South Slipperfield on the north, Spittalhaugh on the east and Castlecraig on the south. It was included, as we have seen, along with Ingraston and Spittalhaugh, in the charter by William Comyn to Sir Adam FitzGilbert (p. 112).

In the beginning of the fourteenth century Blyth was held by Sir John of Graham, who about 1317 granted the lands to his son, Henry of Graham, with a blench holding. This grant was confirmed about 1360 by John of Graham, Lord of Tarbolton, a grandson of Sir John in the following terms :

Know ye that we have carefully examined the charters of Henry of Gram, our uncle, of . . . the lands of Blyth in the Vale of Tweed, which the said Henry held by gift of Sir John of Gram, his father and our grandfather—which charters and donations we for us and our heirs ratify and perpetually confirm *in omnibus* to the said Henry, our uncle and his heirs and their assignees.

The seal appended to this charter is still entire.

More than a century passes before there is further record of the lands. By that time the superiority had passed to the Morton family, and the lands were possessed in two halves. In 1485 there was a decree of the Lords of Council obtained at the instance of Henry Livingston of Manerston<sup>1</sup> for his half of Blyth, and as tutor to Elizabeth Martin of Medhope,<sup>1</sup> the proprietor of the other half, against James, first Earl of Morton. The object of this action was to determine on what conditions the lands were held and whether the muir of Blyth was a common. The decision was that the lands were held in feu farm for payment of a pair of gilt spurs or 12d. sterling, without ward, relief or marriage as these had been discharged "be a chairter and infeftment producit be thame of umqu" Johne the Grahame of Tarboltoun." The common question was referred to "the frieholders of the schyre quhair it lyes" to be settled "be brevis of perambulationis or utherwyse."<sup>2</sup>

This decision, so far as it affected the tenure of the lands, was not readily acquiesced in by the superior. Elizabeth Martin, above referred to, was the only child of John Martin of Medhope. She married Cuthbert Home, son of Patrick Home of Fastcastle, survived him for many years, and died in 1548. In 1517 she had trouble with the superior, James, third Earl of Morton, who was not content with the annual

<sup>1</sup> Both Medhope and Manerston are in the barony of Abercorn and were included in the said charter by Sir John of Graham.

<sup>2</sup> *Acta Dom. Con.*



In 1631 the Earl of Morton conveyed the regality of Linton (including the half of Blyth which he held in property) to the Earl of Traquair (p. 117). There was trouble for a year or two between Traquair and Thomas Veitch over the other half, and Traquair refused with some reason owing to the confused state of the title, to sign a precept of *clare constat* to Veitch. The dispute was ended in 1635 by Veitch, with consent of his wife, Katharine Taylor, and his mother, Jean Hamilton, conveying his half, which had passed through so many hands, to Traquair, who thus became proprietor of the whole property. In 1636 there was a supplication by William Tweedie of Scotstoun to the Earl to grant him liberty to carry away from Blythsmuir "the eilding and fewall alreddie castin" to which he acknowledged he had no right. In 1663 a supplementary disposition of one half of Blyth was granted to John, second Earl of Traquair, by John Veitch, as son and heir of Thomas Veitch, and grandson and heir of William Veitch.

#### PLENDERLEITH OF BLYTH



ARMS.—Vert a chevron between two trefoils in chief and a fleur-de-lis in base argent.

CREST.—A hand holding a writ or paper almost rolled, proper.

MOTTO.—*Prompte et consulto.*

From the Traquair family the property passed to the Earl of Teviot, to Lord Rutherford, and then to John, second Earl of Tweeddale, who in 1680 sold it (along with Baddinsgill) to David Plenderleith, writer, Edinburgh, in liferent and his son David in fee. This was confirmed by a Crown charter, the *reddendo* being 1d. Scots.<sup>1</sup>

<sup>1</sup> The superiority of Baddinsgill was retained by the Earl of Tweeddale and is still a part of the Neidpath Estate.



OF THE LANDS OF BLYTH AND OTHERS, c. 1360



In 1682 James Lawson of Cairnmuir, with consent of John, his eldest son, renounced in favour of David Plenderleith a right of pasturage on Blythholm and the adjacent muir which had been granted in 1653 by the Earl of Traquair as a pertinent to the lands of Ingraston and Medwinhead. The boundaries between Blyth and Scotstoun were fixed in 1683, in a reference between Plenderleith and Andrew Brown of Scotstoun. In 1739 David Plenderleith, advocate (the son), sold the lands to John Geddes, younger of Rachan, for £2,000, and Blyth thereby became part of the estate of Castlecraig (p. 188), and passed to the Carmichael family in 1752. A small part of the property was sold to Mr. James Mann in 1905 when he purchased Castlecraig (p. 195). This part seems to have been known as Blackford of Blyth and comprised the houses in the small village of Blythbank or Knockknowes, adjoining the Tarth Water where it crosses the public road. The remaining portion, consisting of the farms of Blyth and Blythbank, was sold in 1925 by Lord Carmichael of Skirling to Mr. John Graham, farmer.

The present rental is £742 5s. 11d.

#### SPITTALHAUGH

This estate consists of the lands of Spittalhaugh, to which have been added the Kirklands of Cowthropple, Bordland, parts of Noblehall and the Romanno property, Kaimhouse Park (part of Halmyre), part of the Linton oxgates, and Temple lands, and part of Callands. It lies partly in the parishes of West Linton and Newlands. The portion in Newlands is dealt with in that parish chapter.

Spittalhaugh—the haugh of the hospital—first comes into notice in the beginning of the thirteenth century when the lands, then called the “Halch,” were included along with Blyth and Ingraston in the grant by William Comyn, Earl of Buchan, to his sister Idonea and her husband Sir Adam Fitz Gilbert. Later, but prior to 1250, Christiana, daughter of Idonea, granted Ingraston as an endowment to a chapel. Where this chapel<sup>1</sup> stood is not definitely known, but

<sup>1</sup> It was probably in the grounds of Spittalhaugh, as part of the lands in a lease in 1627 is called Chapel croft; and one of the fields near the house is still called Chapelhill.

it was quite usual in those days to have a hospital connected with a chapel, and if this hospital was built on or near the "Halch," that would satisfactorily account for the name Spittalhaugh. The property was a 50s. land of old extent.

The lands became the property of the Morton family and were occupied during the sixteenth century by cadets of that house. Two of them, Hector and James Douglas, were accused (1565-6) of being concerned in the murder of Rizzio. In 1596 George Douglas was tenant, and he was succeeded about 1617 by his son Hector. Their descendants remained in occupation when the property was sold in 1631 to the Earl of Traquair, who in 1647 granted a wadset for 2,300 merks over one half to William Douglas, and in 1654 his son granted a wadset over the other half for 2,500 merks to James Douglas. The owners of the regality held the lands till 1678, when the Earl of Tweeddale sold them (together with Bordland, the Kirklands of Cowthropple, and Kaimhouse in the parish of Newlands) to Richard Murray, brother of Sir Archibald Murray, third Baronet of Blackbarony,<sup>1</sup> and this was confirmed by a Crown charter.

Richard Murray is said to have rebuilt the dwelling-house on the lands, and it still forms the central part of the present house. He was twice married—to Mary, daughter of George Brown of Coalston, and to Jean, daughter of James Davidson, writer, Edinburgh. By his first wife he had a son William, to whom in 1688 he conveyed the estate. William Murray married Jean Allan of Southland and succeeded his cousin in 1742 as fifth Baronet of Blackbarony. Pennecuik refers to him in one of his poems as "Slee Spitalhaugh," a lover of broad jests :

"Rochester's Poems Spittlehaugh did read  
With more delight than e'er he did his creed."

William Murray sold all his property at Spittalhaugh. Kaimhouse he sold in 1729 to George Kennedy of Romanno. Spittalhaugh itself, along with Bordland and the Kirklands of Cowthropple, was sold in 1738 to Charles Hamilton, sometime surgeon in the island of Nevis, West Indies, second son of John Hamilton of Gilkerscleugh, Lanarkshire. Andrew Hamilton, W.S., Edinburgh, received the lands from his father in 1762 and died on 4th May, 1806. His trustees in 1805 sold a small part of Bordland, which is now included in Callands (p. 89), to James Aitken; in 1806 the greater part of Bordland, and other lands to William Aitchison, distiller; and in 1807 they conveyed the rest of the estate<sup>2</sup> to the testator's sister, Katherine Hamilton, and his nephew, John Porteous, W.S., as heirs portioners.

Katherine Hamilton died about 1816, and bequeathed her half to William Ranken (who assumed the name of Hamilton) in liferent,

<sup>1</sup> See vol. ii. p. 477, pedigree of Murray of Blackbarony.

<sup>2</sup> *i.e.* Spittalhaugh, the Kirklands of Cowthropple and a pendicle of Bordlands; also a part of the Linton lands and a small part of Callands, but when and how these were acquired has not been ascertained.

and his son, Charles Hamilton Ranken, in fee, who had meantime in 1812 inherited the other half from John Porteous, his uncle. Charles Hamilton Ranken was succeeded by his sister, Helen Hamilton Ranken, who was served as his heir in 1838. She had married in 1833 William Fergusson, and in 1846 executed in his favour a conveyance of her property under reservation of her liferent.

## FERGUSSON OF SPITTALHAUGH



ARMS.—Argent a lion rampant azure, on a chief engrailed gules, a mullet between 2 cinquefoils of the 1st.

CREST.—A dexter hand grasping a broken spear in bend, all proper.

MOTTO.—*Vi et arte.*

William Fergusson, a son of James Fergusson of Prestons and his wife Elizabeth, daughter of Andrew Hodge of Anstruther, was bred as a surgeon in Edinburgh, and in 1840 was appointed Professor of Surgery in King's College, London. He was also Surgeon to the Prince Consort. Owing to his distinguished merit and eminence as a surgeon, he was created a baronet in 1866 by Queen Victoria.

He added considerably to the estate. In 1849 he purchased Kaimhouse Park,<sup>1</sup> in 1856 Waterside, Damside, and the Bog parks of Romanno,<sup>2</sup> in 1860 Noblehall and Pen-

<sup>1</sup> This is part of Halmyre (p. 28), and was feued in 1814 by William Gordon to David Ewart, Depute Clerk of Chancery, and his wife, Janet Fell. Their children sold it in 1849 to William Fergusson.

<sup>2</sup> These were parts of Romanno (p. 27). One portion was sold in 1820 by Adam Kennedy to Thomas Tennant, residing in Spittalhaugh, from



dreich,<sup>1</sup> and in 1861 Broomlee, part of the Linton lands, and part of the Temple lands,<sup>2</sup> in 1873 Romanno Bridge toll-house,<sup>3</sup> and in 1876 Goldies Mill.<sup>4</sup> He expended large sums in improving and beautifying the house of Spittal-haugh and the policy grounds. He died in 1877, and was buried in Linton churchyard. His eldest son James succeeded.

Sir James Ranken Fergusson was born in 1835, and was educated at Christ Church, Oxford. He took a prominent part in the life and politics of the county, held the position of Vice-Lieutenant, and was a Justice of the Peace. He was a member of the Royal Company of Archers. His was an attractive personality, for he was a man of wide reading and of a generous and kindly nature. In 1876 he published a volume of verse, *Poems and Ballads*, which bears witness to his pride in the traditions of the Borders. The following year he purchased Bordland, etc., from Alexander Peterkin Hope (p. 85), and a few years before his death he again added to the estate by the purchase of Boghouse Cottage

whom William Sanderson, tenant in the Dovecot of Romanno, purchased it in 1831. Sanderson acquired in 1832 the other portion from Adam Kennedy, and sold both in 1856 to William Fergusson.

<sup>1</sup> These were also parts of the Romanno estate. They were conveyed in 1845 by the Commissioners for Captain George Kennedy and the trustees of the late Adam Kennedy to Robert Grieve, whose son David sold them to William Fergusson.

<sup>2</sup> Broomlee was part of the West Third of Linton, and was acquired in 1813 by Alexander Goldie, W.S., from William E. Lockhart of Cleghorn. There were two portions of the Linton lands, one which belonged to William Renton, Excise officer, Edinburgh, and passed to Alexander Goldie in 1825, the other called Sandspark, on the outskirts of West Linton (part of the West Third), acquired in 1833 from Allan E. Lockhart by James Goldie, W.S. The part of the Temple lands was acquired in 1796 from Alexander Chatto of Mainhouse by Robert Renton, writer, Edinburgh, from whom it passed to his brother William, the Excise officer, about 1810, and to Alexander Goldie in 1825.

All these lands came into the possession of William Goldie, son of Alexander and brother of James, and were sold in 1860 to William Brand, W.S., who in 1861 sold to William Fergusson.

<sup>3</sup> Purchased from George Barclay, who acquired it in 1866 from Major George Kennedy of Romanno.

<sup>4</sup> Part of Romanno and purchased from George Kennedy.



SPITTALHAUGH



and parks (part of Halmyre, p. 28). His first wife was Mary Ann Somes, eldest daughter of Thomas Colyer of Wombwell Hall, Kent. She died in 1869, and in 1877 he married Louisa, second daughter of William Forbes of Medwyn. She died in 1878, and in 1886 he married Alice Fanny, daughter of John Price Simpson. Sir James died in 1924, survived by his wife, who died in 1926, and was succeeded by his second but only surviving son of the first marriage.

Sir Thomas Colyer Colyer-Fergusson, the present proprietor, is an M.A. of Christ Church, Oxford, and assumed the additional surname of Colyer in 1890. He held the position of High Sheriff of Kent in 1906, and is a Justice of the Peace for that county. He has been twice married—in 1890 to Beatrice Stanley, daughter of the Rt. Hon. Professor Friedrich Max Müller, (she died in 1902), and in 1914 to Mary Freda, daughter of the Rt. Hon. Arthur Cohen. One of his sons fell in the war after winning the V.C.<sup>1</sup>

Under the entails, Sir Thomas inherited Spittalhaugh itself with the farms of Paulswell and Hamilton Hall (both partly in the parish of Newlands), and the farm of Noblehall, the lands of Damside and Waterside, and the Kaimhouse parks (all in the parish of Newlands). He has since sold the farm of Noblehall (rental £168) to Mr. Alexander Wright. The present rental of the remaining lands is about £730.

The unentailed lands passed under Sir James R. Fergusson's will to his trustees. These included the farm of Broomlee Mains in the parish of West Linton, and Bordland, houses at Mountain Cross, Goldies Mill, houses at Romanno Bridge, and Boghouse parks and houses in the parish of Newlands. The trustees have sold Bordland (rental £527) to Major Edward Gordon Thomson of Callands. They still hold the remainder, the present rental of which is £658.

#### WHITFIELD

Lying to the east of Deanfoot is the property of Over and Nether Whitfield, to which was added in 1713 part of the muir of Linton.

<sup>1</sup> See vol. i. p. 131.

Through the lands flows the Cairn burn to join the Lyne at Broomlee. It is said that this burn takes its name from a sepulchral cairn near its source, erected on the east side of the Black burn, which flows into the North Esk.

The earliest traced reference to Whitfield is in the rental of the Earldom of Morton for the year 1376, which shows that "Qwhitfeilde" was then let to William, son of Adam, and David Purdy for £4 6s. 8d. In 1378 Thomas Pacock held one third, which his father Adam had held before him. After that there is no trace till the close of the sixteenth century, when Andrew Ker was proprietor, and from him the property passed for a short time to the Hamiltons of Coldcoat (Macbiehill). In the beginning of the seventeenth century the property belonged to Sir John Drummond, second son of Sir Robert Drummond of Carnock, but from whom it was purchased has not been ascertained. He was a man "of distinguished worth and honour." His wife was Susannah Fowler, daughter of Sir William Fowler, the Queen's secretary. He died in 1610 succeeded by his eldest son, William Drummond of Hawthornden.

William Drummond is well known as a historian and a poet, and little here need be said of him. He was a consistent Royalist, and a friend and supporter of the Marquis of Montrose. He died in 1649 succeeded by his son William, who was made a Baronet by Charles II after the Restoration. Sir William Drummond, who was an intimate friend and companion of Dr. Pennecuik, was succeeded by his son William, who had a precept of *clare constat* from the Earl of March in 1716. In 1726 the property was sold to William Montgomery of Macbiehill, advocate, and thereby became part of the estate of Macbiehill, an account of which is given in the chapter on the parish of Newlands (p. 39).

In 1713 Sir George Montgomery of Macbiehill acquired part of the Linton muir adjoining Whitfield on the west, by an excambion with William Elliot Lockhart of Cleghorn and his wife (p. 134).

The present proprietors are the trustees of the late David Hunter of Blackness, and the rental is £837 6s. 9d.



## CHAPTER III

### THE PARISH OF KIRKURD

#### I

THE Parish of Kirkurd is bounded on the west by Lanarkshire; on the north by the parishes of West Linton and Newlands, the Tarth Water forming the dividing line; on the east and partly on the south by the parish of Stobo; and on the south by the parishes of Broughton and Skirling. From north to south it averages from 3 to 4 miles, and from east to west  $5\frac{1}{2}$  miles. It is an upland parish, the mean elevation being about 650 feet, but the policies of the two principal estates, Castlecraig and Netherurd, are sheltered and beautifully wooded.

In the first *Statistical Account* of this parish, written in 1794 by the Rev. David Anderson, it was suggested that the word "*urd*" was derived from the Celtic and signified one-quarter part, which would explain the names of the principal lands in the parish—Kirkurd, Ladyurd, Lochurd, and Netherurd. A better derivation was given by Chalmers in his *Caledonia*:

"The name of the parish of Kirkurd was formed by prefixing the Scoto-Saxon Kirk—the *cyrk* of the Anglo-Saxons—to *Urd* the Celtic name of the place. The *Ord*, *Urd*, and *Aird* in the Gaelic signifies an eminence or height, whereof there are several in the manor of *Urd*. *Urd* or *Ord* was of old the name of a large manor, which appears to have been co-extensive with the whole parish of Kirkurd."

The highest hill is Pyked Stane (1872 feet) which takes its name from a pointed cairn on the top, and forms the boundary between Kirkurd, Broughton and Stobo. On this hill is Hell's Cleuch, down which flows a small burn,

(the Brylands burn) to join the Tarth. This glen is wild and lonely enough, but the epithet is scarcely deserved. Armstrong, who had probably never seen it, wrote :— “Hell’s Cleuch is the name given to a dark and narrow chasm; without any other reason for dedicating it to the regions of his infernal majesty.” The only other hill of consequence is the Mount<sup>1</sup> (1384 feet), on the farm of Netherurd Mains. A few hundred yards east of Castle-craig House are two conical heights on either side of the public road called the Castlehill and the Law. It has been supposed that these are artificial and were constructed for the purpose of defence, but the probability is that they are simply the result of glacial action.

The archaeological features are a circle of stones in the garden of one of the cottages above Kirkdean farm;<sup>2</sup> concentric mounds on Ladyurd, called the Ladyurd Rings; and two prehistoric forts on the farm of Lochurd, one a few hundred yards to the north, and the other a similar distance to the south of the farm steading.

The population of the parish was 310 in 1755, and in 1792 it had fallen to 288. It had risen to 387 in 1811, but in 1831 had again fallen to 318. When Dr. Chambers wrote in 1864 the population had again risen to 362, but since then there has been a progressive decline, and at last census (1921) the population was only 217.

Armstrong estimated the acreage at 6620 acres, a figure which the writer of the first and second *Statistical Accounts* accepted.<sup>3</sup> The correct measurement is 5704 acres.

The rental in 1794 was £850; in 1864 it was £2626 2s. 9d.; it is now £8658 3s. 2d. A very large portion of this increase is accounted for by about 3½ miles of water pipes in the parish conveying the water from Talla reservoir to Edinburgh,<sup>4</sup> the annual value of these being £6017. The

<sup>1</sup> The Mount farm, belonging to the Duke of Buccleuch, lies at the foot of this hill.

<sup>2</sup> See vol. i. p 16.

<sup>3</sup> The Rev. David Anderson, minister of the parish, was the writer of both.

<sup>4</sup> See vol. i. p. 253.

aqueduct may be seen from the road where it crosses the Lochurd and Bryland burns.

The main road from Edinburgh to Moffat and Carlisle passes through the parish, and is crossed by the road from Peebles up Tarth Water to Glasgow and the west. The old coaching inn stood at Kirkdean, but it had "no bad effect on the morals of the people who are in general a set of sober and industrious men."<sup>1</sup> The licence for this inn was withdrawn in the latter half of the nineteenth century, and William Black, in his story *The Adventures of a Phaeton*, laments that the company failed to obtain there a supply of their favourite beverage. The romance of the old coaching days is gone, and the roads now are much frequented by motorists. The little village of Blythbridge on the other side of the Tarth is mostly in the parish of West Linton, but it is more identified with Kirkurd. In Pennecuik's time (1715) there was an ale-house in the village, and in 1800 there were twelve houses and fifty-four inhabitants. There are only seven houses now. The old name of the village was Knockknowes, because of some rocky knolls in the vicinity.

The ruins of the original church and the remains of the graveyard can still be seen in the policies of Castlecraig. A new church was built in 1766 on a site about half a mile westward, but the old burial-ground was in use till the end of the eighteenth century. The site of the old manse is not known, but it was "at a considerable distance from both kirks."<sup>2</sup> A new manse was built in 1788 adjoining the present church. There is a glebe attached of 19 acres. The school and schoolhouse were rebuilt in 1773, the number of scholars being then about twenty, who paid fees of 1s. per quarter for reading, 1s. 6d. for writing, and 2s. for arithmetic. About twelve years ago the school was increased in size; the number of scholars now is 31.

In an upland parish such as Kirkurd, consisting mainly of hill pasture, the principal business is sheep breeding.

<sup>1</sup> First *Statistical Account*.

<sup>2</sup> First *Statistical Account*. It is thought that the site was to the east of Craigrud, where the remains of a group of old trees stand.

There are seven farms—Mount (rent £90 15s.); Lochurd (£42 1); Ladyurd (£306 2s.); Castlecraig Home Farm (£235); Kirkdean (£98 12s. 6d.); West Mains of Netherurd (£313 16s. 8d.); and Netherurd Home Farm (£450 10s.). Ladyurd carries 16 score of cross-bred stock, and in the valley a few score of black-faced sheep; Castlecraig hill has also 16 score of black-faced ewes, which are crossed with Leicester stock. Lochurd is stocked with 30 score of Cheviots. Netherurd Mains carries 15 score of black-faced ewes, crossed as on Castlecraig, and on Netherurd Home Farm there are 10 score of half-bred sheep, Cheviot and Leicester, and there is a similar stock in the parks. Cattle are fed on the low ground during the summer; and housed in winter, and fed for the sales in spring and summer.

In the two *Statistical Accounts* it is stated that there was a copious sulphurous spring near Castlecraig House, which had been examined by Dr. Black, Professor of Chemistry in the University of Edinburgh, who reported that it was stronger than the water at Moffat, but weaker than that at Harrowgate. The spring is not now in existence.

## II

With the information available, it is not possible to give a connected account of the various lands in the parish prior to the fifteenth century. Before that the records only disclose here and there names of proprietors, and what is known can soon be told.

There was a church in the parish as early as the twelfth century, which was confirmed by three successive Popes to the bishops of Glasgow (1170-1186),<sup>1</sup> and it is not improbable that it was in existence at the Inquest of David (1115-6).

Between 1208 and 1214 the manor of Kirkurd belonged to Sir Robert of London (a son of King William the Lion) and his vassal in the lands was William, son of Geoffrey, designated Lord of Orde, who granted a renunciation to the Bishop of Glasgow of the lands of Stobo.<sup>2</sup>

<sup>1</sup> Regist. Glasg.

<sup>2</sup> *Ibid.* p. 90, No. 105.



The expression Orde, or Horde as it is sometimes written in thirteenth century records, probably did not include the whole lands in the parish as we now know it. The prefix "Kirk" was not in use till the beginning of the fourteenth century, but even after that, when the lands of Kirkurd are referred to, there is still a difficulty, for although the whole parish was known as Kirkurd, there were lands in the parish definitely associated with the name, while other lands were and still are known as Ladyurd, Lochurd and Netherurd.

Walter Murdach was another proprietor about 1225-7, when a grant by him of lands at Orde to the Clugniac monks of Paisley was confirmed by Pope Honorius III.<sup>1</sup> These lands included the merkland of Mounthouse after referred to (p. 187), and are now part of the Mount farm. Richard Germyne appears in 1231-2 as "true patron of the church of Orde,"<sup>2</sup> and probably he was then lord of the manor. It was at his instance that the ecclesiastical revenues were assigned to the church of the Holy Trinity at Soltre (Soutra), which was founded by King Malcolm IV. (1153-1165). That bequest will be more fully noticed later (p. 200).

Adam of "Horde" and Thomas of "Ladyorde" along with many other proprietors of land in the county swore fealty to Edward I. of England, and signed the Ragman Roll in 1296; and these designations may be taken as showing that at that date the expression "Horde" did not include the whole parish. Walter le Scot also swore fealty at the same time for his lands in the county of Peebles; he was one of the progenitors of the Buccleuch family, and his lands, as we shall see, were in all likelihood in Kirkurd.

The first use of the word Kirkurd appears in 1310, in which year Edward II. of England led an army into Scotland, passing up the Tweed, Lyne and Clyde valleys. The Wardrobe Accounts show an entry on 29th September of a payment made "at Kirkord" to the King's farrier.<sup>3</sup>

<sup>1</sup> *Origines*, i. p. 187.

<sup>2</sup> *Regist. de Soltre*, Bannatyne Club, p. 24, No. 29.

<sup>3</sup> *Bain's Cal.* iii. No. 168.



King Robert I. granted to John of Craik a charter of half of the barony of Urde, which the latter got from Edward Cockburn in marriage.<sup>1</sup> The second King Robert confirmed a charter in 1383 by Peter of Cockburn to his son and heir, also called Peter, of the lands of Kirkurd, along with the lands called "Henriland" (Henderland). The extent or situation of these Kirkurd lands has not been ascertained, and they are not identified in subsequent transmissions, but it is not unlikely that they were absorbed through marriage by the Scotts of Buccleuch. In 1331 King David II. confirmed a charter of the lands of Lochurd with pertinents to William of Douglas of Lothian,<sup>2</sup> and towards the close of that century his family along with the Scotts of Buccleuch were the principal landowners in the parish.

### III

There are four properties or estates of land in the parish at the present time. These are (1) Mount and Millside, (2) Castlecraig, (3) Lochurd, and (4) Netherurd.

#### MOUNT AND MILLSIDE

The small hill farm of Mount adjoining Lochurd and Netherurd Mains, and the still smaller piece of land called Millside in the vicinity of Blythbridge, are, with the exception of superiorities, all that now remain of the Buccleuch possessions in Kirkurd.

The Scotts of Buccleuch have been connected with the parish since the thirteenth century,<sup>3</sup> where they owned, as the superiorities still bear witness, extensive lands; they were also the earliest known proprietors of Scotstoun (p. 89) in the adjoining parish of Newlands. Walter Scott of

<sup>1</sup> Robertson's *Index*, p. 24, No. 2.

<sup>2</sup> Morton Charters, No. 38. The charter was granted on the resignation of Michael "Marescallus" (marshal) at Berwick on 21st March.

<sup>3</sup> According to tradition the lands of Scotstoun and Kirkurd were possessed by the family of Scott as early as the days of Kenneth III.; this, of course, is incapable of being supported by legal evidence.

Satchells<sup>1</sup> (1688) relates it, as the tradition of his time, that the Scotts of Buccleuch were descended from the lairds of

## SCOTT OF BUCCLEUCH



ARMS.—Or, on a bend azure a mullet of 6 points, between 2 crescents of the field.

CREST.—A stag trippant proper attired and unguled or.

SUPPORTERS.—Two females richly attired in antique habits vert, their under robes azure, the uppermost argent, and upon their heads plumes of 3 ostrich feathers of the last.

MOTTO.—*Amo.*

Scotstoun before Richard Scott went to Murdochston (Murdieston) on his marriage with the heiress of that estate.

This Richard Scott, who died about 1320, is considered the first ancestor of the family of whom there is definite

<sup>1</sup> A metrical history of the Scotts was published in 1688 by Capt. Walter Scott of Satchells, who describes himself on the title-page as “an old souldier and no scholler, and one that can write nane, but just the letters of his name.” Copies of the original edition are now rare. In Lockhart’s *Life of Scott* it is recorded how delighted Sir Walter was to get a copy in 1818 from his friend Constable—“He was breakfasting when the present was delivered and said, ‘This is indeed the resurrection of an old ally. I mind spelling these lines.’ He read aloud the jingling

record,<sup>1</sup> and there is good reason to believe that the lands of Kirkurd and Scotstoun were the lands which he and his descendants held in the county of Peebles. About 1240 Christiana, the daughter of Sir Adam, the son of Gilbert, granted a charter dealing with the lands of Ingolistun (Ingraston).<sup>2</sup> These lands, which originally included Spittalhaugh, and adjoined Scotstoun, are in the parish of West Linton, and have been referred to more fully in the chapter dealing with that parish. In that deed there is a reference to Adam le Scot, who had held land "beside the water." This water can only be the Tarth, which partly divides West Linton from the parish of Kirkurd. Then we have the fact that Walter le Scot, as one of the proprietors of land in the county of Peebles, signed the Ragman Roll in 1296.

For about a century there is no further trace, and in the meantime the line of Walter le Scot failed, and the lands passed over to the other line of Richard Scott of Murdieston.

Richard Scott, according to Sir William Fraser in his *Scotts of Buccleuch*, was succeeded by his son, Sir Michael, who was killed at the Battle of Durham (1346). But there is no evidence that Sir Michael was Richard's son. Robert Scott of Rankilburn and Murdieston was certainly a successor, but whether son, grandson, or nephew, it is impossible to say; and we know definitely that this Robert Scott held lands in Kirkurd, to which he would succeed as

epistle to his own great-great-grandfather which like the rest concluded with a broad hint that as the author had neither lands nor flocks, 'no estate left except his designation,' the more fortunate Kinsman, who enjoyed like Jason of old a fair share of fleeces, might do worse than bestow on him some of King James' *broad pieces*. On rising from the table Sir Walter immediately wrote on the blank leaf opposite to Satchells' honest title-page :

' I, Walter Scott of Abbotsford, a poor scholar, no soldier, but a soldier's lover

In the steps of my namesake and kinsman do hereby discover  
That I have written the twentyfour letters twentyfour million times  
over

And to every true born Scott I do wish as many golden pieces  
As ever were hairs to Jason's and Medea's golden fleeces.'"

<sup>1</sup> *Scots Peerage*, ii. 225.

<sup>2</sup> *Origines*, i. p. 189.

next of kin of the older line of Adam le Scot and Walter le Scot.

Robert Scott was dead before 7th December, 1389—he may have fallen at Otterburn—on which date his son, Sir Walter Scott, received from King Robert II. a grant and confirmation of the superiority of the Barony of Kirkurd, together with 5 merks of land there.<sup>1</sup>

Sir Walter Scott was in virtue of that grant the superior of the whole Barony of Kirkurd, and in addition owned in property 5 merks of land there, equivalent to about 175 acres—to be held for payment of a silver penny yearly at Peebles at the term of Whitsunday, if asked. There were other proprietors of lands in the barony, principally the Douglasses of Morton and the family of Cockburn of Henderland, but they would hold under Sir Walter Scott as superior. There is a difficulty in defining the precise extent of this superiority. It is not likely that it included the whole parish, and notwithstanding Satchells' verses, it did not apparently include Netherurd.

Sir Walter Scott was killed at the Battle of Homildon Hill (1402), and was succeeded by his son Robert, who acquired part of the lands

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<sup>1</sup> *Origines*, i. p. 187. It is perhaps significant, as indicating relationship, that this proprietor's Christian name was the same as that of the Scott who swore fealty for his lands in Peeblesshire in 1296; but what that relationship was has not been ascertained, as the earlier writs are not in existence. When we remember that the homes of the Scotts were subjected to the continual hazard of border warfare, that Branxholm was burned by the Earl of Northumberland in 1532, that Newark Castle was burned by Lord Grey in 1550, and that the walls of Branxholm were shattered by the army of the Earl of Sussex in 1570, we can hardly wonder that the early charters were lost or destroyed. In 1577 an inventory of writs was prepared by Mr. Thomas Weston, advocate, but it is disappointing, and it is obvious that there must have been many earlier writs relating to Scotstoun and Kirkurd.

However, the fact that the Murdieston line of Scotts inherited the Kirkurd lands from the older Peeblesshire branch of the family appears sufficiently clear, and is hinted at by Satchells:

“ The barony of Euard was Buckleugh's share,  
 And yet they are superiors;  
 Over Euard and Nether Euard was in the barony  
 With Kirk Euard, Lady Euard, and Loch Euard all three.  
 These towns most sweet surround a pleasant hill  
 And Scotstoun Hall doth join with them still.”

Dr. Taylor in his *Historic Families of Scotland* says: “ The cradle of the Scots was not in Ettrick Forest but at Scotstoun and Kirkurd.”



of Branhholm—so long associated with the family—and also, by excambion with the monks of Melrose, the lands of Bellenden; and the name Bellenden became the battle cry of the clan. Under the designation of Lord of “Murthouston” and Baron of Kirkurd, Robert Scott confirmed a charter (1406-7) to John of Geddes of the half of Ladyurd (p. 188). He died in 1426, succeeded by his son Sir Walter.

Sir Walter Scott was the first to be designated “Lord of Buccleuch.” He exchanged his lands of Murdieston in 1446 with Thomas Inglis of Manorhead for the other half of Branhholm, which Inglis at that time held. Tradition has it that this exchange was the result of a complaint by Inglis of the depredations committed on his lands of Branhholm by the English Borderers. When the bargain was completed, Scott made the characteristic remark that the Cumberland cattle were as good as those of Teviotdale, and immediately began a system of reprisals upon the English which was regularly pursued by his successors. Under the designation of Walter Scott of Buccleuch he received a letter of reversion dated at Peebles, 16th May, 1431, from John Thome of Beneale, burgess, Edinburgh, of two annual rents of £2 6s. 8d. from the lands of John of Vache (Veitch) of Lediurde (Ladyurd), and £2 6s. 8d. out of lands of John of Ghedes (Geddes) of Ladyurd, in the barony of Kirkurd.<sup>1</sup> In 1449-50 he granted, with consent of his son David, to the collegiate church of St. Nicholas of Dalkeith, all right which he had to the superiority of Lochurd and to certain lands in Kirkurd with which that church (formerly the chapel of St. Mary and St. John) had been endowed by Sir James of Douglas, Lord of Dalkeith in 1384.<sup>2</sup> In 1462 he granted a charter to James Tweedie of Drumelzier of an annual rent of two merks from the lands of Kirkurd in recognition of his “manifold counsels, helps and benefits rendered.”<sup>3</sup>

Sir Walter Scott married Margaret Cockburn of Henderland, and in all likelihood received through her the lands in Kirkurd which were held by the Cockburn family (p. 180). He took an active part in suppressing the rebellion of the Douglasses, and rose to power on the ruins of that powerful family. In 1463 he resigned his lands, including Kirkurd, in order that they might be erected into a free barony to be called the Barony of Branhholm; and on 7th December of that year the King, James II., granted a charter

“for the faithful services rendered to our late progenitor and to us in our tender age by our beloved knight Walter Scott of Kirkurd, and David Scott his son, as well in the invasion and in the expulsion of our rebels James of Douglas and his brothers,”

to the said David, erecting the lands into the Barony of Branhholm, reserving the father’s liferent, and the “terce” of Margaret his spouse.<sup>4</sup>

<sup>1</sup> Fraser’s *Scotts of Buccleuch*.

<sup>2</sup> Morton Charters, Nos. 176 and 221.

<sup>3</sup> Original in custody of Peebles Town Council.

<sup>4</sup> R.M.S. ii. No. 772.



The designation "of Kirkurd" then gave place to that "of Branhholm." Sir Walter Scott died about 1469, and was buried in the Cross Kirk of Peebles. Satchells records:

"Then Peebles Church was his burial place  
In the Cross Kirk there has buried been  
Of the Lairds of Buccleuch either six or seven."

David Scott, the eldest son, who succeeded, was instrumental in suppressing insurrections on the Borders: he sat in Parliament in 1481 as David Scott of Kirkurd, and in the Parliament of 1487 as "Dominus de Bucluche." He fought at the battle of Blackness, and his services there were recognised by the King, James III., in a charter granted in May, 1488. He left instructions in his will that his body should be buried in the Cross Kirk, Peebles, which, although the family had long ceased to reside at Scotstoun, had continued to be used. But he was the last of his line to be buried there, and Satchells, who wrote about two centuries after David Scott died, says

"There can none say but its twa hunder year  
Since any of them was buried there."

The church of Rankilburn was now adopted as the family burial-ground, but these burials at Peebles show that Kirkurd was regarded as the origin of the clan.

David Scott was succeeded by his grandson, Sir Walter Scott, who was retoured as heir at Jedburgh in 1492. In that retour the lands of Kirkurd were valued at £20 Scots yearly; all the other family lands were returned as waste, which shows the sad state of the Borders at that time. He married Elizabeth, daughter of Walter Ker of Cessford, and died about 1504, succeeded by his son Walter.

Sir Walter Scott, known as "Wicked Wat," fought at Flodden in 1513, at which battle he was probably knighted, and where he lost many of his kinsmen. He led a troubled existence. He quarrelled with the Queen-Dowager of James IV., and in consequence was warded in Edinburgh. He strove to release the young King James V. from the Douglas faction, and was exiled under a penalty of £10,000 Scots. This was remitted, and he was made principal cup-bearer (1527). The previous year James Murray of Falahill attached in security of debt the lands of Kirkurd and "Monchousse" (Mount-house), and this was confirmed by a Crown charter dated 9th November,<sup>1</sup> redemption of the lands being allowed on payment of the debt within seven years. The Earl of Northumberland burned Branhholm Tower (1532), and Buccleuch retaliated by an extensive raid into England. He was keeper of Newark Castle (1543), fought at Pinkie (1547), became Warden of the Middle Marches (1550) and of Liddesdale (1551). In 1552 he was attacked by the Kers in the High Street of Edinburgh, and killed. He was thrice married—to Elizabeth Carmichael, a daughter of the family of that Ilk, by whom he had two sons; to Janet, daughter of Andrew Ker of Fernihirst; and to Janet, daughter

<sup>1</sup> R.M.S. iii. No. 387.

of John Betoun of Creich. The second son of the first marriage was known as Sir William Scott of Kirkurd; he survived his elder brother David,<sup>1</sup> but predeceased his father about 1552, survived by his wife, Grizel Betoun, a sister of his father's third wife, and a son Walter, and three daughters.

Sir Walter Scott of Branhholm and Buccleuch, "a man of rare qualities, wise true stout and modest,"<sup>2</sup> was served as heir to his grandfather in 1553, and the lands of Kirkurd were then valued at 80 merks yearly. He married Margaret Douglas, daughter of David, seventh Earl of Angus, and was the father of Sir Walter Scott, the "Bold Buccleuch," who took part in all the Border raids of his time, and in 1596, at the head of eighty horsemen, stormed the Castle of Carlisle, effecting the release of William Armstrong of Kinmont ("Kinmont Willie"). The Bold Buccleuch was created a Lord of Parliament in 1606 with the title Lord Scott of Buccleuch. His son Walter was created Earl of Buccleuch in 1619, and the Earl's great granddaughter Anna—at that time the greatest heiress in Scotland—married at the age of twelve, in 1663, James, Duke of Monmouth, a son of King Charles II. Monmouth was then created Duke of Buccleuch, Earl of Dalkeith and Lord Scott of Whitchester and Eskdaill, but after his defeat at Sedgemoor in 1685 was executed, and all his titles were forfeited. The Duchess, however, was not affected by her husband's attainder, as a grant had been obtained from the Crown in 1666 vesting her in the title independently of him. Evelyn in his *Diary* described her as "one of the wittiest and craftiest of her sex." Her second husband was Charles, third Baron Cornwallis. She was a patron of letters, and befriended the poets Dryden and Gay. Her latter years were spent at Dalkeith, which she rebuilt and in which she kept state like a princess. She died in 1732 at the age of eighty-one, leaving a family by both husbands.

It is unnecessary to deal in greater detail with the successive generations of the famous Buccleuch family. The present holder of the title is Walter John Montagu Douglas Scott, seventh Duke of Buccleuch and ninth Duke of Queensberry. The lands in Kirkurd which they still hold—the Mount and Millside—are their oldest possessions. Of Lochurd they never held more than the superiority, and that, as we have seen, was renounced in 1449-50 (p. 184). Of Ladyurd they still hold the superiority. Kirkurd itself, as distinguished from the whole lands in the parish, was feued out in oxgates during the fifteenth century, and of the majority

<sup>1</sup> His father conveyed to David in 1528 the lands of Kirkurd, reserving his own liferent. On David's death they passed to his brother.

<sup>2</sup> Sir James Melville's *Memoirs*.

of these they are still the superiors. Three oxgates (with rights of pasturage) remained with the family until 1904, and were intermixed with the adjoining lands forming the estate of Castlecraig. These oxgates had been tenanted by the successive proprietors of Castlecraig, who paid for them a yearly rent, which, prior to 1905, amounted to £130 2s. 6d. The exact position of the oxgates became a matter of doubt, but they were in the policies of Castlecraig, and it is said that the dwelling-house was built on a portion of them. When Castlecraig was sold in 1905 by Sir Thomas Gibson Carmichael, Baronet, he purchased these oxgates (along with two small plots of ground, about 4 acres altogether, on the north side of the Tàrth Water—apparently part of the Duke's lands of Millside—required to round off the estate), and included them in the sale. At the same time the opportunity was taken of getting rid of other anomalies. In the Duke's lands of Millside were two small detached pieces of ground, which were really part of the lands of Kirkdean or Harestanes (the Temple lands of Kirkurd), belonging to Sir Thomas Gibson Carmichael. Then, on the Mount farm were runrig<sup>1</sup> lands, belonging one-third<sup>2</sup> to Sir Thomas, and two-thirds to the Duke. These parts of Kirkdean and the one-third of the

<sup>1</sup> *Runrig*. This system came into use at a very early period when the claim to absolute ownership in land began to assert itself. Ground held originally in common fell into the hands of several owners, and it was considered a fair method to have the land divided up in patches or ridges, each proprietor being given an alternate ridge. The system is almost unknown now.

<sup>2</sup> This land was known as the merk land of Mounthouse, and represented the property, or at least part of it, which was conveyed to the Clugniac monks of Paisley in the beginning of the thirteenth century by Walter Murdach (p. 179). The property was included in the jurisdiction of regality which the Abbey of Paisley obtained from King Robert III. and King James II. (*Registrum de Passelet*, pp. 72, 91, 410), but was probably feued out before the Reformation, when the possessions of the Abbey were converted into a temporal lordship. No proprietors have been traced prior to 1634, in which year Jonas Hamilton of "Coitquott" (now Macbiehill) conveyed to his brother Mark, one of the macers in the Court of Session, the merk land of Mounthouse and also the 10s. land of Huntlaw, which lands it was stated were formerly held of the Abbot and Convent of Paisley, and then of James, Earl of Abercorn, as Lord of Erection; 20s. Scots of feuduty was paid for Mounthouse, and 13s. 4d. and "ane dog leish for Huntlaw." The Earl of Abercorn surrendered his superiority to the Crown, and the transfer to Mark Hamilton was

runrig lands were acquired by the Duke in part payment of the three oxgates, etc., Sir Thomas in addition paying the sum of £2800.

The present rental of the Mount and Millside is £105 15s.

#### CASTLECRAIG

This estate, now belonging to Mr. James Mann, extends to over 3000 acres, and is composed of (1) the lands of Scotstoun in the parish of Newlands, (2) Ladyurd, (3) the greater part of the Kirkurd lands, in all 17 $\frac{3}{4}$  oxgates, (4) the rights of pasturage in the commonity of Kirkurd, (5) the Temple lands of Kirkurd, (6) the Kirklands of Kirkurd, and (7) a small part of Blyth in the parish of West Linton.

A general account will first be given of how the estate was built up, and thereafter the component parts will be separately dealt with.

On 10th July, 1406, John of Geddes<sup>1</sup> acquired from Thomas Fraser the nether half of Ladyurd. This is the first mention we have of a famous Peeblesshire family who held for generations lands in Kirkurd, and also the Barony of Rachan in the parish of Glenholm.<sup>2</sup> This purchase was confirmed on 18th February of the following year by the superior, Robert Scott, designed Lord of Murthoustoun and of the Barony of Kirkurd (p. 184).

John of Geddes was a burghess of Peebles, and he endowed confirmed by a Crown charter of resignation in 1642. The property passed to Alison Hamilton, daughter of Mark, who with consent of John Hamilton, the son of Jonas, conveyed it in 1672 to John Law, eldest son of James Law of Netherurd. Law contracted a debt of £2835 11s. 8d. Scots to John Lawson of Cairnmuir, who in 1703 obtained a decree of adjudication, and Mounthouse passed to his son John, who in 1727 sold to James Geddes of Rachan. From him, and his son James, the property passed to the second Earl of Hyndford, and was inherited by the Carmichael family.

<sup>1</sup> The writer of the *Statistical Accounts* states that Kirkurd was the resident property of Geddes of Rachan for 1100 years, while Rachan, from whence the title was taken, was in the possession of the family for 1300 years. These random guesses are common with regard to old families. A Geddes branch is found in Nairnshire, but where the original stock came from is not known. The name is the plural of *ged*, i.e. a pike, and the family arms consist of three pike-heads.

<sup>2</sup> See pedigree.



the St. Andrew's Church in the burgh with various properties and annual rents.<sup>1</sup> He also built a chapel annexed to the church containing an altar to the Virgin Mary, which was afterwards known as the Geddes Aisle. In this chapel, on 22nd July, 1434, he personally resigned his half of

## GEDDES OF RACHAN AND KIRKURD



ARMS.—Gules, an escutcheon argent, between three pike-heads couped or.

CREST.—An Earne-head couped proper.

MOTTO.—*Capto Majora.*

Ladyurd in the hands of his superior, Walter Scott, who then gave the property to “ane honest man, William of Geddes,” doubtless a son of John. This transaction is vouched by a document under the seals of seven men of substance bearing that they were present in the chapel and heard and saw what took place.<sup>2</sup>

From William Geddes the property passed to his son John, and he was succeeded by his brother William, who had sasine in his favour on 7th October, 1455, the deed bearing

<sup>1</sup> See Dr. Gunn's *The Book of Peebles Church*, which contains a facsimile of the charter to the church, dated 4th December, 1427.

<sup>2</sup> There is a facsimile of this document or instrument in *The Book of Peebles Church*. The seven witnesses were Walter Tweedie of Drumelzier, his son James, Patrick Lowis of Manor, John Dickson of Winkston, George Elphinstone, younger of Henderstoun, Thomas Loch, burgess of Peebles, and William Bychat of Eshiels.



that Sir Walter Scott of Buccleuch and Kirkurd (p. 184), holding his head court at Kirkurd, caused an inquest to be made by persons therein named, who testified that William was the heir of his brother John. The feu-duty is stated in this deed—46s. 8d. Scots, payable half-yearly at Whitsunday and Martinmas.

In 1493 James Geddes, as heir to his father, William, had a precept of *clare constat* from Walter Scott of Branhholm. Two years later (8th July, 1495) he appeared before his superior at Kirkurd, having been summoned on forty days' warning to exhibit his titles. There his titles were delivered and read over by a notary, and thereafter returned.

James Geddes was succeeded by his son Edward, who on 2nd October, 1527, paid 6½ merks of relief duty on receiving a precept of *clare constat* from Sir Walter Scott of Branhholm ("Wicked Wat," p. 185). Edward in turn was succeeded in 1554-5 by his son James, who in 1586, along with his wife, Katherine Crichton, granted to James Geddes of Glenhigton (parish of Glenholm) and his wife, Margaret Vache (Veitch), an annual rent of 20 merks, payable from four oxgates of the lands of Ladyurd. This deed was granted in security of a debt of 200 merks, and the same year a letter of reversion was granted by James Geddes of Glenhigton and his wife, acknowledging that on payment of that sum the deed granted was "to be cuttit, cassat, and of nane force nor effect in ony tyme thereafter." In 1589 another deed was granted by James Geddes, designated portioner of Ladyurd, to the said James Geddes of Glenhigton<sup>1</sup> of five husband lands of Ladyurd. This was apparently also in security, but the property remained with the granter, and passed to his son William, who had a precept of *clare constat* from Sir Walter Scott (the "Bold Buccleuch") in 1595. The same year William Geddes conveyed the property to Donald M'Dullan, clothier, a burgess of Edinburgh, who immediately transferred it to John Geddes (brother of Charles Geddes of Rachan), designed as a "servitor" to the Bold Buccleuch.

<sup>1</sup> He was killed by the Tweedies in the Cowgate of Edinburgh on 29th December, 1592 (see p. 283).

John Geddes extended the family possessions. In 1589 he obtained from Buccleuch  $2\frac{1}{6}$  and  $1\frac{1}{12}$  oxgates of Kirkurd lands. The deed was granted with consent of Buccleuch's curators, John Murray of Blackbarony and George Scott of Sinton, and bears to be in recompense of services rendered and also in consideration of the payment of 100 merks. The feu-duty was 20 merks. In 1591, for the like consideration, he acquired an additional  $5\frac{1}{4}$  oxgates, the feu-duty for which was £21 Scots. Again, in 1595, the same year in which he received the nether half of Ladyurd, he acquired  $2\frac{3}{4}$  oxgates for payment of a feu-duty of £11 Scots. In 1602 he acquired the Kirklands of Kirkurd—doubtless the lands in the vicinity of the original church, the ruins of which are in the policy grounds of Castlecraig—and received a Crown charter from King James VI.

John Geddes,<sup>1</sup> who married Margaret Cockburn, died in June, 1611, a few months before his master, the Bold Buccleuch, and was succeeded by his son, James Geddes, who was, however, not served in that capacity till 1632.<sup>2</sup> He added to the estate in 1658 the Temple lands of Kirkurd (Harestanes and Kirkdean), and in 1673 an additional three oxgates of Kirkurd lands. Those oxgates, unlike the others, were not Buccleuch property, and were then held of the Earl of Tweeddale (p. 198).

In 1673 James Geddes resigned all the lands he held from Buccleuch in favour of his grandson John. This resignation was made on 1st March within the chambers of the Duke and Duchess of Buccleuch and Monmouth on the north side of the High Street of Edinburgh, and was followed by a charter. This John Geddes was the son of

<sup>1</sup> It is said that he married a daughter of William Scott of Harden (*The Scots Peerage*, vii. p. 75). If so she was his first wife, as he was survived by Margaret Cockburn, who afterwards married Mr. Alexander Somerville, minister at Dolphinton. She may have been a daughter of William Cockburn of Skirling, as he on 2nd December, 1617, granted a charter of lands in Skirling to her in liferent and her eldest son James Geddes in fee.

<sup>2</sup> He purchased Rachan (p. 280) from his cousin, Charles Geddes, in 1627. It is stated in the *Origines*, i. p. 187, that no freeholder from the parish of Kirkurd was present at the weaponshaving of the county in 1627. But James Geddes was present, although he is designed as of Rachan.

John Geddes the only son of James,<sup>1</sup> and succeeded his grandfather in the lands, but was dead by 1677, and as he left no issue; his brother James was in that year served as his heir. He had a precept of *clare constat* from Anne, Duchess of Buccleuch and Monmouth, and Charles, Lord Cornwallis, her second husband; and paid relief duty of £47 10s., being one year's feu-duty of the different lands held. In his time the possessions were again extended. In 1682 eight oxgates of Lochurd were purchased, and in 1699 the other or over half of Ladyurd. James Geddes died in 1699, and was succeeded by his eldest son James.

James Geddes had a precept of *clare constat* in 1706 from Anne, Duchess of Buccleuch and Monmouth. He acquired in 1713 another eight oxgates of land in Lochurd, in 1720 the patronage of the parish, and the superiority of the Kirklands, and in 1727 twenty soums of land in Kirkurd, and also three oxgates of land there, and the "Kainacre" and the merkland of Mounthouse (p. 187). These three oxgates and the Kainacre were then held of the Earl of March. In 1709 he married Henrietta Lockhart, daughter of Sir William Lockhart of Carnwath, and in the marriage contract he resigned his lands in Ladyurd, Kirkurd and Lochurd, etc., including the Barony of Rachan, for new infestment to himself in liferent and the eldest son of the marriage in fee. Mr. James Geddes, advocate, was the only child of this marriage; he married in 1735 Elizabeth Grant (who died in 1737, leaving a daughter, Margaret), eldest daughter of Patrick Grant of Elchies, a senator of the College of Justice, and in the marriage contract the lands were destined by James Geddes, the father, to his son and the heirs male of the marriage. Mr. James Geddes married again in 1738, his second wife being Helen Somer-

<sup>1</sup> James married Janet Geddes [*Part. Reg. Sas.* 1667] and had also a daughter Helen, who married (contract dated 3rd January, 1656) Thomas Douglas, son of James Douglas of Cowthropple [mentioned in a Disposition dated 21st December, 1671, among the Burgh Papers]. On 4th August, 1656, Thomas Douglas granted a discharge to James Geddes for her tocher of 3000 merks, to which John Geddes, only son of the said James, was a witness [Sheriff Court Books]. James Geddes probably died in 1673, as in August of that year John Geddes, his grandson, is called "of Kirkurd" [*Gen. Reg. Sas.*].







ville, eldest daughter of Mr. Hugh Somerville, W.S., by whom there was a son, James. In 1745 (the year in which he died)<sup>1</sup> he granted a trust disposition and deed of entail of the whole lands whereof the fee had been settled on him by his father, also of his own lands of Blyth (parish of West Linton), and a dwelling-house in Edinburgh occupied by him, which was described as the fourth storey above the shops of a tenement on the south side of the High Street, near the Market Cross. This deed was in favour of Sir James Lockhart of Carstairs, Bart, and others, including his wife and his father, as trustees for James Geddes, the testator's only son, then in minority. This trust never became operative, for by this time the Geddes family were deeply in debt: a meeting of creditors was called on 8th November, 1749, by James Geddes, the elder, with the result that on 8th February, 1752, a deed was signed by him within the sanctuary of the Abbey of Holyroodhouse, whereby he made over all his interests in the lands, to enable his son's testamentary trustees to sell for behoof of the creditors. Articles of roup were prepared and all the Geddes possessions were exposed in four lots, which may conveniently be given here :

(1) 11 $\frac{1}{4}$ oxgates Kirkurd. Both halves of Ladyurd. 3 oxgates Kirkurd. Kirklands of Kirkurd. Patronage of Kirkurd. Superiority of Temple lands.	}	At an upset price of £8,093 13 7 $\frac{1}{2}$
(2) Blyth. Callands—Superiority. Mill and Mill lands of Scotstoun.		
(3) 16 oxgates of Lochurd. 3 oxgates and Kainacre. Merkland of Mounthouse.		
(4) Lands and Barony of Rachan with Glencotho, etc.		
		£18,221 11 0 $\frac{1}{2}$

<sup>1</sup> He died of consumption, but not before he had given proof of remarkable intellectual power. According to Chambers—"Peebles-

All these lots were bought at the specified upset prices by John Carmichael of Skirling, afterwards fourth Earl of Hyndford (p. 225). He built the present mansion-house, calling it Castlecraig, after a place of that name which then belonged to him in county Cavan, Ireland. It is said that this house is situated about 200 yards south of the former house of Kirkurd, which in turn was about 100 yards from the original house.<sup>1</sup> There are no traces now of either of these earlier houses, but the local opinion is that Kirkurd house, when John Carmichael purchased the property, was about a quarter of a mile south-west of Castlecraig, on the slope to the north of the ponds. Above the present house is the Gallowberry hill, where no doubt the gallows would stand in early days: it occupies a dominating position overlooking the parish. Castlecraig is a good specimen of the architecture of the Adam period, and is beautifully situated amid finely wooded policies.

The history of Kirkurd is from now linked up with that of Skirling (p. 208). Few estates have received from their owners the same unremitting care and attention as Castlecraig, and to-day it may well serve as a model. The Carmichael family were the best of landlords: farm buildings, dykes, fences, gates, everything was kept in perfect order, and the kindest interest was taken in the tenants and employees. A record, which we have been permitted to see, kept by James Noble, mason in Skirling, and his son, covering a period from 1746 to 1827, gives some account of the improvements carried out by the proprietors in Kirkurd, Skirling and elsewhere. Bridges were built in 1782 at Lochurd, Brylands and Blythbridge—"the previous ones having, with many another, been broken down by a great flood in the month of March." In 1788 stone and lime dykes were built round the Castlecraig parks, and along the road from Grantshall to the school. Numerous building schemes were carried out by Sir Thomas Gibson Carmichael

shire has produced no man of greater erudition than James Geddes, younger of Rachan." He wrote a work "of much literary merit," called *An Essay on the Composition and Manner of the Ancients, particularly Plato*, which was published after his death.

<sup>1</sup> Fraser's *Scotts of Buccleuch*.

in the beginning of the nineteenth century—Scotstoun Bridge in 1807, a steading at Harestanes in 1808, a new farm steading at Castlecraig in 1811, and a new mill at Blythbridge. This last was completed in 1817, and has an inscription on it—"Price of meal this year—per peck 2s. 3d."—showing how high the price of food was after the Napoleonic wars.

In 1891 Lord Carmichael (then Sir Thomas David Gibson Carmichael) succeeded to the property, and took up his residence at Castlecraig. He made extensive improvements, introduced electric lighting and a new water supply. He enlarged the home farm of West Mains, extended the steading at Ladyurd, and took a deep and practical interest in agriculture. Both he and Lady Carmichael did much for the domestic comfort and social happiness of the people on the estate.

In 1905 Castlecraig was sold to Mr. James Mann, who, like his predecessors, has devoted much time and money in improving the lands and buildings. He changed the entrance of the house from the south to the north side, built a new entrance hall, and carried through many architectural improvements with a view to maintaining the symmetry of the house as a whole. This work was done according to the design of Sir John James Burnet, R.A., LL.D. The interior of the house was also renewed and redecorated. Mr. Mann has since identified himself with the public life of the county, and is an active and prominent member of the County Council. He married a daughter of Alexander Steven, engineer, Glasgow, and their daughter is the wife of Mr. Henry Drummond Simpson, Venlaw Bank, Peebles, a son of the late Sir Alexander Simpson, Edinburgh.

The present rental of the estate, so far as it lies in the parish of Kirkurd, is £1129 19s. 6d.; in addition the houses in Blythbridge in the parish of West Linton yield £76 12s., but these have all been recently sold, and the lands of Scotstoun in the parish of Newlands, so far as they still belong to Mr. Mann, are valued at £332 15s. 6d.

## THE COMPONENT PARTS OF CASTLECRAIG ESTATE.

## (1) SCOTSTOUN

This property is dealt with in the chapter on the parish of Newlands.

## (2) LADYURD

The lands of Ladyurd, extending to about 1000 acres,<sup>1</sup> form the southern part of the Castlecraig estate, and are bounded on the east by the Tarth Water, and on the south and west by Wester Happrew (parish of Stobo). They were owned in superiority by the Scotts of Buccleuch prior to the 1389 charter to Walter Scott. The owners of the property itself, or the *dominium utile*, to give the legal phrase, cannot be traced so far back, but it is clear that by 1400 the lands were possessed in two portions, the nether half and the over half.

(a) *The nether half of Ladyurd.*

The nether half belonged about 1400 to Marjory of Farle, of whom nothing is known, and descended to her son and heir, Thomas Fraser, who on 10th July, 1406, conveyed it to John of Geddes (p. 188).

(b) *The over half of Ladyurd.*

John of Vache (Veitch) was the proprietor in 1431 (p. 184). After that nothing is known of this part of Ladyurd till 1653, when the proprietor was Robert Scott of Glack, who granted a bond for 12,000 merks to Robert Scott of Harwood. In the following year, Scott of Harwood obtained a decree of apprising of the lands which was confirmed by the tutors testamentary of the superior, Dame Mary Scott, Countess of Buccleuch.<sup>2</sup> Two years after (1656) the lands were again the property of Scott of Glack, who in 1668 had a charter of *novodamus* from James and Anne, Duke and Duchess of Buccleuch and Monmouth, in return for services and duties used and wont. In 1689 Scott of Glack, with consent of his wife, Mary Elliot, conveyed it to Gideon Scott of Outerside, and this was confirmed in 1694 by a charter of resignation from the commissioners of Anne, Duchess of Buccleuch and Monmouth, and Charles, Lord Cornwallis, her second husband. In 1699 this proprietor sold the property for 4850 merks to James Geddes of Kirkurd (p. 192).

(3) 17 $\frac{3}{12}$  OXGATES OF KIRKURD

The greater part of the lands of Kirkurd<sup>3</sup> was held in property by the Buccleuch family till the time of the "Bold Buccleuch," about the

<sup>1</sup> Kirkurd and Ladyurd together formed a £40 land of old extent equivalent to 2080 acres.

<sup>2</sup> She was only four years of age when she succeeded to the Buccleuch estates in 1651. She was married at the age of eleven, and died in her fourteenth year, succeeded by her sister Anne, who became Duchess of Buccleuch and Monmouth.

<sup>3</sup> It is not possible, with the information available, to state definitely how the *property* in the lands was acquired. The 1389 charter (p. 183)





CASTLECRAIG





end of the sixteenth century. In 1589 he feued  $2\frac{1}{8}$  and  $1\frac{1}{12}$  oxgates to his servitor, John Geddes (p. 191), in consideration of gratuitous services rendered, and also the sum of 1000 merks. The feu-duty was fixed at 20 merks. In this deed the  $2\frac{1}{8}$  oxgates were said to be in the occupation of Geddes himself, and the  $1\frac{1}{12}$  oxgates in the occupation of Thomas Symson, Adam Smith, Agnes Brown, relict of Matthew Vaich (Veitch), and James Traquair. In 1591  $5\frac{1}{4}$  oxgates were feued for the same consideration and a feu-duty of £21 Scots, these being occupied by Geddes and his subtenants, John Murreyis, Constantine Robeson, Robert Symson, etc. (p. 191). In 1595  $2\frac{3}{4}$  oxgates were similarly feued to Geddes, which were then occupied by James Traquair, Adam Smith, James Potter and Bessie Ramage : the feu-duty was £11 Scots. That accounts for  $11\frac{3}{12}$  oxgates.

The Buccleuch family, as we have seen (p. 187), remained the proprietors of three more oxgates, which apparently comprised ground within the policies, and were tenanted by the successive proprietors of Castlecraig till 1905, when they were purchased by Sir Thomas Gibson Carmichael and included in the sale of that year to Mr. James Mann. It is quite clear, however, that these three oxgates were also feued originally, probably about the same time as the others, to John Geddes, for in 1632 his son James was served as heir not only to the  $11\frac{3}{12}$  oxgates, as above detailed, but also to these three oxgates and 19 souns of grass. When James came to resign his lands to his grandson John in 1673 the 3 oxgates and 19 souns are excepted, and the inference is that they again became the property of the Buccleuchs.

We are still left with three oxgates to account for. Although the Buccleuchs were ultimately much the largest, they were not the only proprietors in Kirkurd. By the middle of the fourteenth century the Morton branch of the Douglas family were proprietors of large tracts of land in the county including Lochurd, and also part of Kirkurd. This ownership has been more fully referred to in the chapter on the parish of West Linton. In 1376 the Kirkurd lands belonging to that family were let for £5 to Alan, son of Gilbert, and Thomas, son of Patrick, and the lands of Lochurd for £8 to Richard, son of Alan; Robert, son of Adam; Roger Wode, Gregory of Moss, John Hird and Laurence,

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gave the superiority and 5 merks (173 acres) of land. The lands which the Cockburns had, extending to one half of the barony (p. 180), probably came to the Scotts of Buccleuch by marriage (p. 184). But in addition they must have acquired some of the other lands. In 1479 Margaret Somerville, as widow of John Lindsay of Cockburn, was an owner of property in Kirkurd: in that year she and her son, John Lindsay, sued John Lindsay of Covington and Mr. James Lindsay, parson of Covington, for recovery of their charters. Possession of the charters by the parson of Covington was proved, and the Bishop of Glasgow was exhorted to compel the parson, by his spiritual authority, to deliver them (*Acta Dom. Audit.* p. 94). The property represented by the charters has not been identified, but it would probably pass later to the Buccleuch family.

son of Richard.<sup>1</sup> On 5th December, 1384, Sir James Douglas, Lord of Dalkeith, granted to the chapel of St. Mary and St. John, founded by him within the castle of Dalkeith, all his lands of Lochurd, and also 40s. yearly from his lands of Kirkurd, and that for the sustentation of a chaplain and support of the ornaments of the chapel and altar.<sup>2</sup> In 1406 the chapel was transformed into a collegiate church for a provost and five chaplains, and to the third chaplain the sum of £10 yearly was assigned, whereof 12 merks were taken from Lochurd and 40s. from Kirkurd. At this time the Buccleuchs, in virtue of the 1389 charters, were superiors of Kirkurd and Lochurd, but by a charter dated 25th January, 1449-50, that superiority was renounced so far as it affected these lands granted to the church in Dalkeith (p. 184). After the Reformation these lands reverted to the Morton family, and in 1631 were conveyed by William, Earl of Morton, with consent of Dame Anna Keith his wife, and Robert Lord Dalkeith his son, to John, first Earl of Traquair; he, in 1635, conveyed to Thomas Veitch, portioner of Blyth, and the 3 oxgates of Kirkurd were then occupied by Hector Douglas at a rent of £25 Scots. Thomas Veitch was succeeded by his son John, and in 1657 he received a precept of *clare constat* from John, Lord Linton, showing that the superiority of the lands had been retained by the Traquair family. In 1673 John Veitch conveyed the oxgates to James Geddes of Kirkurd in liferent, and his grandson, John Geddes, in fee (p. 191); this was confirmed by the Earl of Tweeddale, who was then the superior. Thereafter these oxgates remained with the Geddes family until they were acquired along with the other lands of Kirkurd by John Carmichael. The superiority passed to the Duke of Queensberry, and is now held by the Earl of Wemyss and March.

#### (4) THE PASTURAGE RIGHTS IN KIRKURD COMMON

The situation of the common of Kirkurd cannot now be definitely ascertained. It was divided out in souns, the majority of these being annexed to the oxgates we have been dealing with, and to the Temple lands after referred to, but in addition there were souns not annexed as pertinents to any particular land. In 1598 Sir Walter Scott of Braxholm entered into a contract of wadset with two of his tenants—John Whyte in Millside and George Whyte in Kirkurd. In consideration of £85 8s. 11d. Scots paid by each, he disposed to them, under reversion, 20 souns of land, which are described as lying runrig through the west side of the town of Kirkurd. The souns were then in possession of the Whytes. The tenure was blench for payment of six pennies, if asked, but the holders were bound to continue the payment of a yearly rent of 33s. 4d., together with a grassum of the like amount every five years, to Dame Margaret Douglas, Sir Walter Scott's mother, and after her death to Sir Walter Scott himself.

<sup>1</sup> Renwick: *Historical Notes*, p. 428.

<sup>2</sup> Morton Charters, No. 176.

There is no further trace of these souns till 1727, when they were conveyed by Margaret White, designed as the only daughter of the deceased John Whyte, with consent of Alexander White in Boreland, Athelstone (Eddleston), to James Geddes of Rachan and Kirkurd (p. 192). No price is mentioned, but the real consideration was the granting by Geddes of a feu of the Temple lands of Harestanes.

#### (5) THE TEMPLE LANDS OF KIRKURD

This property comprised the lands of Harestanes and probably Kirkdean, and included 15 souns of grass on the common of Kirkurd : it was originally a possession of the Knights Templar. The earliest reference is in 1554, when a charter was granted by James, Lord St. John, preceptor of Torphichen, who was the superior of the Temple lands in Scotland, to John Tweedie. The feu-duty was 3s. Scots, payable on the feast of Saint John the Baptist, and the charter also included the nonentry duties since the death of James Tweedie, the last possessor. In 1577 John Tweedie conveyed to John Tweedie, tutor of Drumelzier, and his wife Katherine Stewart. Their daughter Janet succeeded, and from her the property passed to her sister Marion, who married James Law, Writer in Edinburgh. Marion received a precept of *clare constat* in 1627 from the superior, Thomas, Earl of Haddington. In the same year she and her husband, James Law, conveyed the lands to her half-brother, Patrick Brown, also a Writer in Edinburgh, reserving their liferent, but there was a reconveyance to the granters in 1634. James Law was dead by 1649, in which year James Dunlop, Writer, Edinburgh, obtained a decree of apprising of the lands for payment of a debt of £1443 6s. 8d. Scots, with £72 3s. 4d. of Sheriff's fee. This action of apprising was directed against James Law, the son, who had been lawfully charged to enter as heir to his parents. The decree was followed by a charter of apprising to Dunlop by Charles II., the superiority of the property being then with the Crown. In 1653 Peter Dunlop succeeded as heir ; he was a son of William Dunlop, apothecary in Edinburgh, a brother of the said James Dunlop. Peter Dunlop also served in 1658 as heir to the said Marion Tweedie his "guid-dame" (grandmother)—she died in October, 1652—and the retour bears that the lands were held of the late King in feu, and had fallen into the hands of His Highness Oliver, Lord Protector of the Commonwealth of England, Scotland, and Ireland and the dominions thereto belonging.

In 1658 Peter Dunlop, who was then in minority, and his tutors-dative, sold the property to James Geddes of Kirkurd for 1000 merks (p. 191). Peter Dunlop died before 1675, and as James Geddes had not taken infeftment during his lifetime, a supplementary title was granted in that year by Alexander Dunlop, Peter's younger brother, in favour of John Geddes, the grandson of James. Nothing followed on that, and John Geddes died about 1677. In 1691 Alexander Dunlop, who was by this time an advocate, had a precept of *clare constat* from Thomas, sixth Earl of Haddington, to whose family the

superiority had reverted, and the same year granted another title to James Geddes, brother and heir of John. James Geddes in 1694 resigned the lands for new infeftment to himself in liferent and James Geddes, his eldest son, in fee. This resignation was made in the hands of the Countess of Rothes (Countess Dowager of Haddington), as tutrix to her son Thomas, sixth Earl of Haddington, within her lodgings on the south side of the Lawnmarket, Edinburgh.

James Geddes was succeeded by his son James, who in 1727 feued the property (then possessed by John Wood) to Alexander White in Boreland, Eddleston, and Margaret White, his wife, the feuduty being £40 Scots. This Alexander White, who later resided at Merchiston, in 1748, with consent of James Dickson, of Baringsill (Baddingsill), his voluntary interdictor, conveyed it to his son-in-law, Thomas Richardson, tenant in Whitelawhouse, and his wife, Margaret White. The mid-superiority which had been created remained with the Geddes family till the sale of their possessions in 1752, when it was acquired by John Carmichael. Eight years after the sale John Carmichael acquired the property itself from Thomas Richardson and his wife, and paid off the debts which then affected it. The mid-superiority was thus extinguished, but there was still the over-superiority which in 1819 belonged to George Bell, surgeon, Edinburgh, and to him a composition of £70 was paid on the entry of Sir Thomas Gibson Carmichael. In 1852 John Grieve, farmer, Castlehill, Manor, was the superior, and he in 1860 conveyed to John Whitehead, S.S.C., from whom in 1876 it descended to his daughters as heirs portioners. From these daughters the superiority was acquired in 1876 by Sir William Henry Gibson Carmichael, and the lands are now held direct of the Crown.

#### (6) THE KIRKLANDS OF KIRKURD

These lands were probably in the vicinity of the church, the ruins of which are in the policies of Castlecraig, about 300 yards south of the house. Their story goes back a long way. In 1231-2 Bishop Walter of Glasgow, at the instance of Sir Richard Germyne, true patron of the church of "Orde," granted as an endowment to the church of the Holy Trinity of Soltre (Soutra) the church and church lands of Kirkurd.<sup>1</sup> This was confirmed in the year 1255-6 by Bishop William of Bon-dington. About the year 1460 the endowments of the church and hospital at Soltre were annexed to the College and Hospital of the Holy Trinity at Edinburgh, which was founded by Mary of Gueldres, the widowed Queen of King James II. The sum of £46 9s. was appointed to be taken yearly from Kirkurd, the sacristan being bound to uphold the church there. From the accounts printed in the *Collegiate Church of Mid-Lothian*, published by the Bannatyne Club, it appears that in 1503 £40 was derived from Kirkurd, in 1505 £42, in 1512 £48, and in 1530 £50. In 1558 "the personage of oure Kirk of

<sup>1</sup> *Registrum de Soltre*, p. 24, No. 29.





COCKBURN TOMBSTONE, CASTLECRAIG



NETHERURD



Kirkurd " was let to two tacksmen on a nineteen years' lease at a yearly rent of £50.<sup>1</sup>

At the Reformation the provost and prebendaries of Trinity College adopted the new tenets, and retained their benefices. In 1574 King James VI. appointed Archibald Douglas, a burghess of Edinburgh, to the parsonage of Kirkurd, and he, for a time at least, held himself independent of the College authorities.<sup>2</sup> On 17th February, 1576-7, Richard Weir, the vicar, feued the Kirklands (reserving the manse and glebe) to James Douglas, a natural son of James, fourth Earl of Morton, then Regent, and his heirs male, whom failing to Archibald Douglas of Pittendreich and William Douglas, his brother, in their order, whom all failing, to the Earl himself. The lands were then said to be possessed by the vicar and by Hugh Cockburn, brother of Sir James Cockburn of Skirling, and the feu-duty was 5 merks. This transaction was confirmed the following month by the King with consent of the Regent Morton. In 1588-9 James Douglas (then designed as feuar of Spott) transferred the property to the said Hugh Cockburn (designed as of Slipperfield).

In 1599 a feu charter was granted by King James VI. to James Cockburn (a nephew of Hugh), son of the deceased John Cockburn of Newholm; the *reddendo* was then 5 merks with 6s. 8d. of augmentation. In 1602 there was another charter or new grant by the King to John Geddes (p. 191), and the lands are there stated to have fallen into the King's hands by reason of the forfeiture of James Douglas of Spott, the last heritable feuar. James Cockburn, who got the charter in 1599, was a brother-in-law of John Geddes, and in 1608 he conveyed to him all his rights to the lands as heir to Hugh Cockburn, "sumtyme takisman of the said Kirklands." John Geddes was succeeded by his son James, who, in 1616, received a charter of the property from the Town Council of Edinburgh, who in the year 1586 had acquired all the rights of the provost and prebendaries of Trinity College, including the parsonage of Kirkurd and relative patronage. The feu-duty payable was now £4 Scots. The Town Council of Edinburgh held the superiority of the Kirklands and patronage of the church until 1720, when these rights were conveyed to James Geddes of Rachan and Kirkurd for a payment of £400 Scots.<sup>3</sup>

When the new church was built in 1766 the old graveyard, with the ruins of the original church, was included in the policies of Castlecraig. Practically nothing of the church is left: only the remains of a small vaulted chamber which may have been the burial-place of the Geddes family. It is a beautiful spot, the old churchyard—a green glade amid the trees. A few of the old stones are still there, one marking the grave of a Cockburn. It shows the family shield with the three cocks, the remains of a Latin motto, and the initials and date—G. C. 1614.

<sup>1</sup> Renwick: *Historical Notes*, p. 422-425, and the authorities were cited.

<sup>2</sup> *Ibid.* p. 423.

<sup>3</sup> Estate papers. Renwick: *Historical Notes*, p. 424.

## (7) PART OF BLYTH

This is a small piece of ground at Blythbridge in the parish of West Linton on which the village houses are built. The story of Blyth has been told in the West Linton chapter (p. 165). Recently the houses, with one exception, have been sold by Mr. James Mann to the tenants in possession.

## LOCHURD

The history of the lands of Lochurd, so far as ascertained, is the same as that of the three oxgates of lands in Kirkurd referred to on p. 197, until the year 1635. In that year John, first Earl of Traquair, conveyed sixteen oxgates of land in Lochurd, which were then occupied by Hector Douglas at a rent of 200 merks, to Thomas Veitch, portioner of Blyth.

Thomas Veitch in 1641 conveyed eight oxgates to John Brown in Blyth in liferent and Andrew Brown, his eldest son, in fee: this was confirmed in 1659 by a charter from the Earl of Traquair, who had retained the superiority. Andrew Brown, in 1678, conveyed to his son John, who became a Writer in Edinburgh. He fell into debt, with the result that these oxgates were in 1682 conveyed to David Plenderleith of Blyth, the principal creditor. From him they passed to his son David in 1705, in terms of the marriage contract between David, the younger, and Helen Balfour, eldest daughter of John Balfour of Broadmeadows. In 1713 they were sold to James Geddes of Rachan and Kirkurd (p. 192).

The remaining eight oxgates retained by Thomas Veitch<sup>1</sup> descended to his son John, who in 1682, with consent of Margaret Geddes, his wife, conveyed them to James Geddes of Kirkurd (p. 192).

In addition to these sixteen oxgates there were other portions of land, consisting of three oxgates and a "Kain-acre," which in 1639 belonged to Jonas Hamilton of

<sup>1</sup> Thomas Veitch, portioner of Lochurd, was dead in 1659, when his son John was served heir to him on 23rd April, on the jury being Andrew Brown, portioner of Lochurd, and Adam Veitch in Netherurd. There is record of a James Hay, portioner of Lochurd, in 1655-8, but his connection with the lands has not been traced.

“Coitquott” (Macbiehill), who no doubt acquired them shortly before that from the Earl of Traquair. In that year Jonas conveyed them to Robert Hamilton, his youngest son, who in 1666 transferred them to his cousin Alison, daughter of Mark Hamilton, one of the macers of the Court of Session. In 1667 Alison Hamilton sold to John Law, son of James Law of Netherurd, who, falling into debt, had his lands adjudged from him in 1703 by John Lawson of Cairnmuir. John Lawson was succeeded by his son John, who in 1727 sold to James Geddes of Rachan (p. 192).

With the rest of the Geddes property the lands of Lochurd became the property of John Carmichael in 1752, and remained with that family till 1924, when they were sold to Alexander and William Noble, the farm tenants.

The present rental of Lochurd is £446.

#### NETHERURD

This estate lies for the most part on the west side of the public road leading through Blythbridge. It extends from the Duke of Buccleuch's land of Millside, lying beside Blythbridge, along the boundary of Castlecraig, Lochurd and the Mount, until it reaches the boundary of Skirling parish. It is composed of (1) the lands of Netherurd, (2) Bryland or Bryandland, and (3) Sunnyacres.

##### (1) LANDS OF NETHERURD

The first mention of these lands is in 1398, when Archibald Bothwell, Earl of Galloway, founded at Bothwell, near Glasgow, a collegiate church for a provost and eight prebendaries, and bestowed on it the lands of Netherurd with its mill.<sup>1</sup> In 1543 there were five charters by five of the prebendaries to Andrew Hamilton of Ardoch and Margaret Stewart, his wife. Each charter conveyed 3½ oxgates of ground, with one-eighth part of the mill; and four of the charters give the names of the occupiers—(1) John Symson and William Clerk, (2) Robert Ferguson and Marion

<sup>1</sup> *Origines*, i. p. 54. Although the lands of Netherurd are described as being in the Barony of Kirkurd, it does not appear that the Scotts of Buccleuch ever exercised any superiority rights over them.



Geddes, (3) James Roger and John Denholm, and (4) William Clerk and John Symoun. These charters were confirmed by the Crown on 20th January, 1546-7.<sup>1</sup> In 1625 the lands were again the property of the prebendaries, and in that year they granted a charter of Netherurd, consisting in all of eight sections of land, each containing  $3\frac{1}{2}$  oxgates, to Mark Hamilton, one of the macers of the Court of Session: this was confirmed by King Charles I. on 20th February, 1630.<sup>2</sup>

On 24th March, 1636, Jonas Hamilton of Quotquot (Macbiehill) was served as heir to his father, John Hamilton, in lands in the Barony of Kirkurd. It is not at all clear what lands are here referred to. The previous year he had conveyed Mounthouse to the said Mark Hamilton, who was his brother (p. 187 *footnote* 2), and the service may have been carried through with the object of completing his title as a seller to that property, and also to the three oxgates and the "Kainacre," which he did not dispose of till 1639 (p. 203). It seems clear that the service did not apply to Netherurd (unless a mid-superiority had been created), as his brother Mark was still alive and their father, John, had died before 1600.

The lands from this time onwards were held of the Dukes of Hamilton, as superiors, and not of the Crown. Mark Hamilton was dead in 1646, and he was survived by his widow, Agnes Stewart, and a young daughter, Alison, to whom her uncle, Archibald Hamilton in Over Horsburgh, was served as tutor. Alison was served heir to her father, and was infeft in Netherurd as his heir in 1667 on a precept from Anne, Duchess of Hamilton. She married Sir William Paterson of Granton, afterwards Clerk of the Privy Council, and her mother, in 1672, made over to them her liferent rights to all the eight sections of Netherurd. Alison's mother by this time had married James Law (son

<sup>1</sup> *R.M.S.* iv. Nos. 52 and 53. According to the description, and it is still used in the writs of the present day, the property consisted of eight prebend lands each  $3\frac{1}{2}$  oxgates, and called respectively Nether-toun, Netherfield, Newtown, Crewchburn, Kittiemuir, Stainhouse, Hysleden, and Overtoun. The total feu-duty was £24 13s. 4d. Scots.

<sup>2</sup> *R.M.S.* viii. No. 1532.

of Marion Tweedie),<sup>1</sup> and was again a widow. Their son, John Law, who acquired Netherurd from Alison about 1672, fell into debt, with the result that the lands were adjudged from him to John Lawson of Cairnmuir about 1700.

An account of the family of Lawson of Cairnmuir is given in the chapter on the parish of West Linton (p. 149).

The present dwelling-house was built by William Lawson about 1790, and called New Cairnmuir. He was succeeded by his son John, by whose trustees New Cairnmuir<sup>2</sup> was sold for £18,000 in 1834 to John White of Drumelzier, who restored the original name of Netherurd.

John White took an active share in the affairs of the county of which he was Convener and also a Justice of the Peace. For some years he was a member of the Lanark Coursing Club, and ran his greyhounds at the annual competitions, winning several cups. He greatly improved the farm buildings and the gardens and grounds of Netherurd, to which he added, in 1856-7, a second drawing-room, new kitchen and offices. He married Mary, daughter of David Sim of Coultermains, Lanarkshire, and died in 1880, survived by his daughter, Jane Aitken White, who was born in 1834, married James Tweedie of Rachan, and died in 1923. Under her father's settlement she had the liferent of his two estates of Netherurd and Drumelzier. On her death these properties passed, in accordance with the directions in the settlement, to the testator's grand-nephew, William James White Nicol.

Mr. Nicol has considerably enlarged and partly rebuilt the dwelling-house at Netherurd. He acquired in 1925 from Mr. James Mann of Castlecraig a small strip of

<sup>1</sup> Armstrong states that Netherurd belonged at one time to a son of the Tweedies of Drumelzier. No writs have been traced. But in the Privy Council record of the feud with John Murray of Halmyre (see p. 32) there appears a Thomas Tweedie, designed "portioner of Netherurd" and also "in Dunsyre." He was a brother of William Tweedie of Scotstoun and James Tweedie of Dreva, and a son, not of the Drumelzier line, but of Adam Tweedie of Dreva. Marion Tweedie, the mother of James Law (who took the designation of Netherurd in virtue of the liferent interest of his wife), was a daughter of John Tweedie, tutor of Drumelzier, who owned the adjoining Temple lands of Kirkurd in 1577 (p. 199).

<sup>2</sup> The sale included the small property of Bryland.

ground (·167 of an acre) between Bryland burn and the carriage drive of Netherurd. This strip had been included as part of the policy grounds for many years, and a small rent was paid to the proprietors of Castlecraig. Originally this strip was probably a part of the Temple lands of Kirkurd.

### (2) BRYLAND OR BRYANDLAND

This small property extending to four oxgates is held of the Duke of Buccleuch as superior, but when it was first feued has not been traced. It is the only part of Netherurd which is on the east side of the public road, and it adjoins Harestanes. It was part of Netherurd when the estate was acquired by John Lawson in 1700, and had probably been held before that by the Hamiltons and the Laws. The feu-duty was originally 4s. Scots: it is now (including commutation of casualties) £2 1s. 5d.

### (3) SUNNYACRES

This property lies almost opposite Brylands on the other side of the road. It extends to seven acres, and is a part of the original Temple lands of Kirkurd. The first writ traced is a disposition in 1691 by David Plenderleith to James Ballantine, to whom William Ballantine succeeded as heir about 1721, receiving a precept of *clare constat* from the Earl of Haddington as superior. The Ballantine family<sup>1</sup> continued as proprietors, and in 1840 there is a precept of *clare constat* by the superior, Robert Hill, W.S., to James as heir of William Ballantine.

James was succeeded by his son William, to whom in 1873 his nephews, Robert Symington and James Tait, were served as heirs. Robert Symington conveyed his share to James Tait, and the latter in 1874 sold Sunnyacres to John White of Drumelzier for £700.

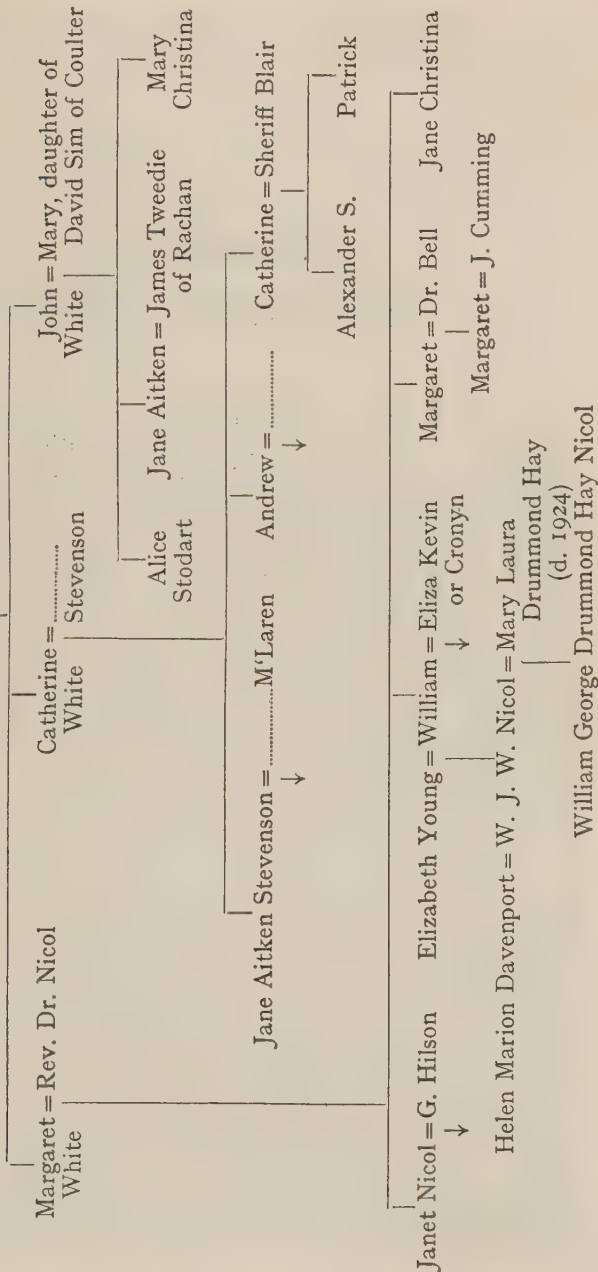
The present rental of Netherurd is £974 6s. 8d.

<sup>1</sup> They were connected with the Ballantines of Woodhouse in the parish of Manor (p. 610).

# MR. W. J. W. NICOL OF NETHERURD

John Aitken of Callands = Margaret Murray  
(d. 1839)

Jane = Andrew White, son of  
John White of Newburn and Elsrickle



## CHAPTER IV

### THE PARISH OF SKIRLING

#### I

An old drove road leads from the village of Broughton along the ridge on the north side of Biggar Water. The wayfarer on this road, having reached the ridge, will see to the east and the south a panorama of hills extending from the heights above Broughton to the smooth sweeping outlines of the highest range in the county, with the broad massive summits of Dollar Law and Broad Law. Below is the village and vale of Broughton, a delightful bit of pastoral scenery, beautifully wooded, through which runs the main road between Edinburgh, Moffat and Carlisle. From the village a smaller road branches off, and winds its way, edged with bracken and heather, over the shoulder of Dreva Hill to join the Tweed. It is a view to linger over, for these gracious and peaceful hills are the ramparts of the Tweed Valley and the Borderland. Turning westwards there is a level strath through which the Biggar Water flows slowly, and beyond that the isolated buttress of Tinto which dominates the valley of the Clyde at Symington. Through this strath runs the railway from Glasgow, but that great city is forty miles away, and here there is only a peaceful hillside with sheep grazing. Along the ridge the drove road winds with gentle undulations. Two miles from Broughton a small stream is crossed flowing to the Biggar Water; that is the Kirklawhill burn and the boundary of the parish of Skirling. Another mile, and the road suddenly descends to a small and lovely village nestling amid trees.



The village of Skirling, about  $1\frac{1}{2}$  miles from Biggar, is a very quiet little place now; but it was more important once when four fairs were held annually, two in the month of May, one in June, and one in September.<sup>1</sup> Armstrong, in 1775, calls it a large and populous village, and it boasted of two inns. There are no inns now, and the fairs were discontinued in 1864. In the village is the dwelling-house built by Lord Carmichael, *caput baroniæ*, and Lord Lieutenant of the County, who died on 16th January, 1926, while this chapter was being written.<sup>2</sup> He was the kindest of men, the most indulgent of landlords, and did much notable service to the State. The building is modern, but harmonises well with the old-world air of the rest of the village.

The parish of Skirling lies on the western boundary of Peeblesshire, and is bounded on the north-east by the parish of Kirkurd, on the east and south by the united parishes of Broughton, Glenholm and Kilbucho, and on the west by Lanarkshire. It is the smallest parish but one (Lyne),<sup>3</sup> in the county and extends to 3,425 acres. There are only two small streams in it—Skirling burn, which “ariseth at the Lady Well”<sup>4</sup> and passes through the village; and Kirklawhill burn, both of which flow into Biggar Water. The parish is served by two main roads, one running from north to south from West Linton and Leadburn through the village to Biggar, the other on the south connecting Peebles and the Borders with Biggar and the west country. For

<sup>1</sup> At these fairs were sold “Horses, cows, shoes, saddlery-ware, coopers’ articles, sickles and pedlars’ goods.” (*First Statistical Account*.) “The June fair of Skirling was long one of the largest markets in Scotland for horses and cattle. . . . The fair itself was a scene of great animation. Cattle dealers, horse coupers, ballad singers, pick-pockets, prick-the-garters, hawkers of curry combs, recruiting parties with fifes and drums, merchants with their stands, and ginger bread Neds with their baskets were all pursuing their respective vocations with intense assiduity and clamour.” (*Biggar and the House of Fleming*, p. 348.)

<sup>2</sup> He took a great interest in the compilation of this History, and intended, had his health permitted, to write this chapter himself.

<sup>3</sup> But Lyne is much larger if the ecclesiastical parish of Megget (Selkirkshire) is included.

<sup>4</sup> Pennecuik, *Description of Tweeddale*. The upper part of the stream is called the Candy burn, and the lower part Spittal burn.

ecclesiastical purposes the parish has been included in the presbytery of Biggar since 1692.

Pennecuik has practically nothing to tell us about this parish, and contents himself with enumerating the different farms and places—"Candie ; The Knock;<sup>1</sup> Skirling Mill; Skirling House; Town and Church; Skirling Mains; Wauken Mill; Kirklawhill; and Skirling-mure-burn."

Captain Armstrong in 1775 gives the extent at 2,880 acres, taken roughly at 700 to the square mile. To the places enumerated by Pennecuik he adds Newmains (now South Mains), Loanhead, Naked Knows,<sup>2</sup> and Craig Farm.

In the first *Statistical Account* (1792), written by the Rev. William Howe,<sup>3</sup> minister of the parish, we get more information.

"The general appearance of the surface is uneven. We have no mountains, but there are three small green hills in the parish. On part of two farms there is some short heather. The soil is fertile, though generally light. Being much above the level of the sea the air is pure and wholesome."

The population was then 234 (males 120, females 114), while the population in 1755 (Dr. Webster) was 335. Oats were the main crop, but flax was also sown.

<sup>1</sup> Now part of the farm of Skirling Mill.

<sup>2</sup> On the north side of the road between Skirling village and Gallalaw.

<sup>3</sup> His son, James Howe, "attained to high eminence in his profession as a painter. His panoramic representation of the Battle of Waterloo commanded general admiration at the time of its exhibition, and in the department of animal painting he stood for many years without a rival." (*Second Statistical Account*.) He was born in the manse of Skirling (now the school-house) in 1780, and died in 1836 at Townhead (now Gallalaw), which was then farmed by his uncle, William Wilson. He was buried in Skirling churchyard, and on the tombstone which was erected by his admirers in his native parish are these lines written by his old schoolmaster, the Rev. James Proudfoot of Coulter :

"He who could make with life the canvas glow,  
In death's deep slumber lies this turf below ;  
But death which triumphs o'er the mouldering frame,  
Dims not the lustre of the painter's fame."

Some of his pictures are in the possession of Mr. George Deans Ritchie, Chapelgill, Broughton, and among them a copy of "Skirling Fair," a bustling scene, shows in the foreground the lord of the barony, Sir Thomas Gibson Carmichael and his wife, also the baron bailie and other figures which would doubtless be well known in the painter's day.

“ Every farmer here sows five or six lippies of flax seed ; cottagers and those who have small possessions, two or three lippies. Each lippie produces between 12 lb. and a stone of scutched flax.”

There were ten farms, one farmer possessing five and other two possessing two each—each farm containing about 200 acres, and the average rent being 4s. per acre. About the village there were ten small lots enclosed with hedges and ditches, and let at 20s. to 25s. per acre. The roads were bad, owing, it is said, to the heavy traffic in lead from Leadhills and Wanlockhead.

The second *Statistical Account* was written in 1834 by the Rev. John Alpine, minister of the parish. The population had increased to 358, of whom 98 resided in the village. The people of the parish are reported on “ very favourably.”

“ While there are some who can afford to live in the most comfortable manner, there is the absence of anything like squalid poverty ; for even in our humblest cottages, through the abounding beneficence of Sir Thomas G. Carmichael poverty in its sternest features is not seen. . . . They are at the same time cleanly in their habits, orderly in their deportment, and attentive to the observances, while many of them, I trust, are acquainted with the fervour of religion.”

An instance of longevity is recorded, which the minister thinks worthy of remark. In the course of his visitation he met in her own house a widow in the parish in her 94th year: with her were her three brothers and her sister, all children of the same parents, and all hale and hearty: the united ages amounted to 438 years. The acreage is given at 2,642; the average rent of arable land at 15s., and of sheep pasture 2s. 6d. per acre per annum; and the rental of the parish at about £1,500. The principal trees were ash, elm, beech, plane, and fir. Flax which was sown when the first *Statistical Account* was written, had then “ scarcely a name among the productions of the parish.” There was a sufficiently good school “ excellently taught and well attended.” Fairs were still held in May, June and September, the first limited to cattle, but horses were sold at the others ; and there were two inns for the accommodation of those attending the markets. There was a jail in the village in Mr. Alpine’s time, for Skirling was a burgh of barony and

the proprietor had still his baron-bailie,<sup>1</sup> who had power to imprison for forty-eight hours. But it was never used except "for holding mort-safes and other parochial implements."

Mr. Alpine draws attention to the want of plantations and fencing. These he considers would "render Skirling one of the sweetest parishes in Scotland"; and he looks forward, judging from "the well-known disposition of Sir Thomas Carmichael to do what is for the advantage of the estates," to the time "when the ditcher shall be preparing the thorn-bed, and the diker shall be plying his hammer and the planter his spade, and the harshness of the unenclosed place, and the unwooded hill, shall no longer glare upon the eye of the observer." Since then nothing has been left undone for the proper development of the farms and the amenity of the district, and to-day the parish is a place of beauty and peace.

When Dr. Chambers wrote in 1864<sup>2</sup> the population of the parish was 317 and the rental £2,554 17s. 7d. The fairs were no longer held and the inns were gone.

During the last fifty years there has been a considerable drop in the population, caused probably through the loss of the fairs, and the figure at last census (1921) was 222. The valuation has increased to £3,071. There are ten farms in the parish at present—Muirburn, Candieburn, Gallalaw, Skirling Mains and Waulkmill, Kirklawhill, Knockend or Cambwell, Southmains and part of Loanhead, Skirling (a small farm in the vicinity of the village), and Loanhead.

## II

The Barony of Skirling was rated as a £40 land of old extent, and the earliest recorded proprietors were the family

<sup>1</sup> The last baron-bailie of Skirling, and also the last in Peeblesshire, was Bailie Milne, tenant of Westmains, Kirkurd, who lived prior to 1850. He was a man of great physical weight and visited his district riding on an old shaggy pony named Donald. One day Donald stumbled, and the result was a broken thigh bone for the bailie, from which he never recovered.

<sup>2</sup> In that year (1864) the fairs were transferred to Biggar. This was done to suit the convenience of those attending, and with the concurrence of Sir William Gibson Carmichael. The fairs are still held in Biggar.



of Lindsay.<sup>1</sup> In 1275 Master William of Lyndesay was Archdeacon of Glasgow, and he was charged by the dean and chapter of Glasgow with infringing the rules of the Cathedral Church of St. Kentigern. In connection with the process, Lindsay was cited "at his own church of Scravelyn,"<sup>2</sup> but it is not certain from that whether Skirling was styled Lindsay's church in respect of his holding the benefice, or only because he had his abode in the parish at the time. Perhaps he was related to the lord of the manor, in whose gift the benefice was. Christian de Lindsay,<sup>3</sup> who married Ingelram de Guignes, Sire de Coucy,<sup>4</sup> inherited large portions of the Lindsay domain, and died in 1335, succeeded by her son, William de Coucy, who conveyed the lands, which included the manor of Skirling, and the "advowson" of the church, to his son William. The charter was confirmed on 5th June, 1335, by Edward III of England, who was then in possession of the southern shires of Scotland in virtue of the transfer by Edward Baliol.<sup>5</sup>

There is no further trace of William de Coucy's connection with Skirling, but his title does not appear to have been of any value, as King Robert the Bruce by a charter dated 14th January, 1326-7, granted the "Barony of Skravelyn with the advocacy of the kirk thereof"<sup>6</sup> to Sir John of Monfode. This grant included a piece of land within the barony "which William of Govane formerly held,"

<sup>1</sup> *Origines*, vol. i. p. 183.

<sup>2</sup> *Reg. Glasg.* pp. 190, 191. In the records the name of the parish appears variously as Scravelyn, Scravillyn, Scraline, Skirling (*Origines*, vol. i. p. 182).

<sup>3</sup> She was the daughter and heiress of William de Lindsay (Lord of Lamberton and of half the Honour of Kendal, killed in battle in Wales, 1283), and his wife Ada, daughter of Sir John de Baliol and Devorgilla, (daughter of David, Earl of Huntingdon), which Ada was sister of John Baliol, afterwards King.

<sup>4</sup> He was son of Arnold III, Count of Guignes, and Alice, daughter of Ingelram, Sire de Coucy. The issue of this marriage with Christian de Lindsay—Sires de Coucy in France, Earls of Bedford in England—are now represented by the Duke of Parma, as heir to the late Henry V, Comte de Chambord (*Scots Peerage*, iii. 6).

<sup>5</sup> *Origines*, p. 183; *Bain's Cal.* iii. No. 459.

<sup>6</sup> Robertson's *Index*, p. 24, No. 10. The original charter is among the Skirling papers. It also included the tenantry of Robertoun, then possessed by Alan of Denholm, situated in the Dolphinton district of Lanarkshire. The superiority of Robertoun remained a part of the Skirling estate until recently.



and was subject to the usual baronial privileges—" cum furca et fossa,<sup>1</sup> sacco et sacco," etc.—and the vassal was bound to provide the service of one archer in the King's army. Sir John<sup>2</sup> was succeeded by his daughter Margaret, who granted an annual rent of two merks from the lands to the chaplain serving in the church of "Dunmanyne" (Dalmeny, in Linlithgowshire): this was confirmed by a charter from David II dated 9th March, 1362-3.<sup>3</sup>

#### COCKBURN OF SKIRLING



ARMS.—Argent, a spear's head between 3 cocks gules.

Margaret of Monfode married Walter de Cragie, and after his death she married again about 1365 Alexander Cockburn of Langton.<sup>4</sup> By the first marriage she had a son, John, who died without issue, and

<sup>1</sup> The gallows stood in the Gallows Knowe, south of the village. There is a flagstaff now on the site. The old gallows was still standing in the beginning of the nineteenth century, and was removed by Sir Thomas Gibson Carmichael (grandfather of Lord Carmichael); it was kept for a time at Castlecraig. It is said to have been the last gallows, standing in position, in Scotland.

<sup>2</sup> His widow, Agnes Monfode, afterwards married Sir John Douglas, son of Sir James Douglas of Lothian, and brother of Sir William Douglas, the "Knight of Liddesdale."

<sup>3</sup> *R.M.S.*, i. p. 26, No. 34.

<sup>4</sup> This famous family probably had its origin at Cockburn in the parish of Duns, Berwickshire, but of that there are no authentic records, and there are no Cockburns of that ilk till 1527. This Alexander Cockburn, the ancestor of the Langton, Ormiston, Cockburn and Skirling branches of the family, may have been the younger brother of Nigel Cockburn of Henderland (p. 528) and son of Piers Cockburn who signed the Ragman Roll in 1296.

The cocks in the family shield are probably no more than a punning

a daughter Margaret, who married Sir John Stewart; by the second marriage she had two sons, William and Edward Cockburn, and a daughter Agnes. For some years there was a dispute between the two families of Margaret, as to whether Skirling should belong to Margaret de Cragie, Lady Stewart, or to William Cockburn; and it was finally decided in 1379 that William Cockburn should have the barony and the patronage of the church as freely as his grandfather, Sir John of Monfode held them.<sup>1</sup> The confirming Crown charter by Robert II is dated 8th December, 1380.<sup>2</sup>

SIR WILLIAM COCKBURN OF SKIRLING was granted an annuity of £10 by Robert III for services rendered to him and to James Stewart, Earl of Carrick (afterwards James I). This annuity was payable from the "ferme" of the burgh of Haddington, and appears in the accounts rendered by the bailies of that town to Exchequer for the year 1405.<sup>3</sup> The last payment of the annuity is entered in the burgh accounts rendered in 1422, after Sir William was dead.<sup>4</sup> He was one of the Scottish statesmen sent to England to negotiate for the release of James I.

WILLIAM COCKBURN, the next proprietor, succeeded his father about 1421. He married Christian, daughter of Sir Walter Sant Clare (Sinclair) of Cessford Castle in Roxburghshire, and died on 1st August, 1460,<sup>5</sup> survived by three sons—Mr. Adam, who succeeded to Skirling, Alexander, afterwards of Cessford, and Walter, whose name appears as a witness to a charter in 1467.<sup>6</sup>

MR. ADAM COCKBURN had sasine in Skirling in 1461. His name appears in June, 1478, in the first list of Scottish members of Parliament; and in the same year Walter Tweedie of Drumelzier was ordered by the Lords Auditors to restore a silver cup which he had

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allusion to the name, but there is romance if not truth in the suggestion that the original Cockburns were hereditary priests or standard-bearers of Irmin, the war-god of the Saxons, who invaded the Lothians in the sixth century. The symbol of Irmin was a cock. There have been well-known men in the family, two of the most famous being Henry, Lord Cockburn, who died in 1854, whose *Memorials* should, in Lord Rosebery's opinion, be read twice a year by every Scotsman; and Sir Alexander Cockburn, Lord Chief Justice of England, who died in 1880. See *The Cockburn Family Records* (T. N. Foulis, 1913), from which many of the family particulars here given have been taken.

<sup>1</sup> *Origines*, vol. i. p. 184. The renunciation by Sir John Stewart and Margaret his wife is dated 23rd September, 1380, and refers also to the lands of Haughheads, adjoining the lands of Robertoun at Dolphinton—a £10 land—formerly in the barony of Braidwood, Lanarkshire, and then annexed to Skirling. After her husband's death Margaret married Sir Herbert Maxwell, and in 1418 ratified this deed, binding herself that all the "fornemyt thyngs lelely and sekirly sal be kept" (Skirling Papers).

<sup>2</sup> *R.M.S.*, i. p. 144, No. 88.

<sup>3</sup> *Exchequer Rolls*, iii. p. 635.

<sup>4</sup> *Ib.* iv. p. 369.

<sup>5</sup> Skirling Papers.

<sup>6</sup> *R.M.S.*, ii. No. 926.

got from Cockburn in pledge for 20 merks.<sup>1</sup> Mr. Adam was a member of the Privy Council, and his name frequently occurs in the Register between 1478 and 1480. He married Margaret, daughter of Lord Lindsay, and died about 1480, survived by Sir William, his heir; Robert, bishop first of Ross and then of Dunkeld; James; and Margaret, who married Thomas Middlemist of Grieston. His widow married Patrick Auldincraw, and in 1493 is still referred to as "laidy of Skraling" in an action by her and her husband with regard to land near the burgh of Haddington.<sup>2</sup>

SIR WILLIAM COCKBURN completed his title to part of the barony of Skirling in 1481.<sup>3</sup> He had also the lands and barony of Cessford, which he sold in 1493 to Walter Ker.<sup>4</sup> He seems to have been of a quarrelsome disposition. He had a dispute with his brother-in-law, Thomas Middlemist, with regard to payment of his sister's marriage portion, and on 14th February, 1492-3, he was ordered to pay on that account "the soume of four skore of merks."<sup>5</sup> In the same year he brought an action against Middlemist for the "wringwis detention" of 23 score of sheep.<sup>6</sup> In 1498 he "came into the King's will for art and part of the stouthreif of a lance from a certain man of the Earl of Angus," alleging that the lance was his own and that the man had stolen it.<sup>7</sup> The same year, along with his brother James and John "Pattonsoun" in Kingledoors, he was charged with being "art and part of the slaughter of Walter Twedy, son of John Twedy of Drava, in Peblis: item, for art and part of stouthreif of a sword and shield from the said Walter, at the same time; item, the said William and James for forethought felony done to Adam Twedy, within the town of Edinburgh, during the time of Parliament; and for mutilating him." For these crimes a remission was secured.<sup>8</sup> Sir William granted a bond of manrent to John, Lord Hay of Yester, sheriff of Tweeddale; on 15th January, 1510-11, promising to serve him in peace and war, with all his houses, strength, money, kin and friends for five years.<sup>9</sup> He was again in trouble in 1513, when he was ordered to restore a quantity of goods which did not belong to him. These goods, which were the property of one Matthew Campbell, were valued at £35, and consisted of beds, sheets, bolsters, pillows and curtains.<sup>10</sup>

It is not known who Sir William's wife was; he died about 1513, and was succeeded by his son William. Alexander Cockburn, who was rector of Skirling in 1507, may also have been a son.

<sup>1</sup> *Origines*, i. p. 184.

<sup>2</sup> *Acta Dom. Con.* p. 314.

<sup>3</sup> *Exchequer Rolls*, ix. p. 681. There was also an instrument of sasine in his favour of the "town and lands of Scraling" dated 4th November, 1487 (*Skirling Papers*).

<sup>4</sup> The seal appended to the charter bears—"S' Dni WILELMI KOKBURN"—seal of Sir William Cockburn.

<sup>5</sup> *Acta Dom. Con.* p. 285.

<sup>6</sup> *Ib.* p. 303.

<sup>7</sup> *Pitcairn's Criminal Trials*, vol. i. p. 25.

<sup>8</sup> *Ib.*

<sup>9</sup> *Yester Writs*.

<sup>10</sup> *Origines*, i. pp. 184-5.







WILLIAM COCKBURN, as his father's heir, had sasine in March, 1513-4.<sup>1</sup> He was put to the horn for injuring William Crichton of Newhall and also for assisting David Hume of Wedderburn in some traitorous deed, but in 1536 obtained the gift of his own escheat.<sup>2</sup> He married in 1511 Margaret, daughter of his kinsman, Sir William Cockburn of Langton; she was servitrix or maid of honour to the Queen (Margaret of Lorraine) and received from the King (James IV) certain lands in Perthshire as her dowry. She died leaving a daughter also called Margaret, who married Sir James Cockburn of Langton, her first cousin. William Cockburn's second wife was Marion Sommerville, and by her he had four sons and a daughter:

William, who succeeded his father.

James, who succeeded his brother William.

Hugh, of Slipperfield and a portioner of Kirkurd.

John of Newholme, and

Barbara, who married in 1554 John Hay, second son of George Hay of Menzion.

SIR WILLIAM COCKBURN, the next heir, completed his title to Skirling in June, 1546,<sup>3</sup> although his father was probably dead before 1532, as in that year the King granted the son leave of absence from public duties "as he is under deadly feud with our Borderers so that he may not come, and remain away without danger of his life."<sup>4</sup> This laird, who died in 1551, does not appear to have married, and he was succeeded by his brother James; but he had a natural son William by Agnes Somerville, Lady Romanno (p. 14), who was legitimated by Queen Mary in 1550, and received a legacy of 400 merks.

SIR JAMES COCKBURN was served as heir to his brother William in February, 1551-2,<sup>5</sup> and infett on 16th March following.<sup>6</sup> He took an active and prominent part in the affairs of his time, and was a devoted follower of Queen Mary; he was one of the jury at the trial of Rizzio's murderers. The Queen who, it is recorded, visited Skirling in 1563, appointed him to command Edinburgh Castle<sup>7</sup> on 21st March, 1566-7, and the event is recorded in the diary of Robert Birrel:

"This same day, ther rais ane vehement tempest of wunde which blew a very grate shipe out of the rode of Leith, and sicklik blew the taill from the cocke which standes on the tope of the steiple away frome it: so the old prophesy came trew.

'Quhen Skirline sall be capitaine,  
The cocke sall vant his taile.'"

<sup>1</sup> Skirling Papers.

<sup>2</sup> *Reg. Privy Seal.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Reg. Privy Seal*, vol. ix. fol. 168.

<sup>5</sup> Peebles Retours. The retour gives the new extent of the lands—£100.

<sup>6</sup> Peebles Protocols.

<sup>7</sup> This appointment was only held for a few weeks. James Balfour, Clerk Register, succeeded him in May of the same year.

In August, 1567, he was accused and tried for complicity in the murder of Darnley at Kirk-of-Field; <sup>1</sup> and there is an entry in the Edinburgh records showing that 15s. was paid to three drummers

“that playit afoir the toun the xxij day of August, the tyme of the halding of the assys upoun the laird of Skyrling, Richardtoun, and Capitaine Edmistoun for the alledgit slauchter of the King.”

Previous to that he had been a collector of certain Crown revenues under commission by the Queen. The Privy Council in July, 1567 (the month before his trial), ordered all persons liable, to withhold payment of any sum that might be demanded by Cockburn under the commission, which it was stated had been made out at the time of the Queen's “bondage and shameful thraldome in the Erle of Borthwik's company.”

For his adherence to the cause of the Queen, Cockburn incurred the wrath of the Regent Moray, who ordered the demolition of the Castle or “place” of Skirling. This was carried out on 12th June, 1568, in the presence of the Regent himself, the Earl of Morton and Lord Hume, with a company of soldiers and three pieces of artillery. In the *Diurnal of Occurrents* it is stated that “the said regent put ane certain powder in the place of Striveling, and demolished the samin.” <sup>2</sup>

In August of the same year Cockburn, along with a number of noblemen and barons who were also loyal to the unhappy Queen, was declared a traitor, but shortly afterwards, both parties in the State having agreed to submit their differences to Queen Elizabeth, he appears as one of the commissioners representing Queen Mary. He was in trouble again in 1572, when he was “put to the horn,” but he came to terms with the authorities immediately after, and signed a bond of surety to the Regent. He also became one of the sureties for the appearance of Johnston of that Ilk before the Privy Council; and “Scraling, Knycht” is a subscriber to the “Band of Roxburgh,” a bond of loyalty to King James, signed at Jedburgh on 28th August, 1578.

Sir James Cockburn married in 1552 Jane Herries, one of the three daughters of William, Lord Herries, and died about 1590, survived by his son, Sir William, who succeeded; James; and a daughter Jean, who was married first to James Hamilton of Liberton, in the parish of Carnwath, and then to John Keith of Ravenscraig.

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<sup>1</sup> *Reg. Privy Council*, i. p. 527.

<sup>2</sup> *Diurnal of Occurrents* (Maitland Club). Nothing now remains of the original Skirling Castle, which is said to have been built in 1315. Even the site is uncertain, but the tradition is that the castle stood on the Gallalaw hill, at the foot of which the War Memorial has been erected. On the wall of one of the cottages in the village is a stone with the figure of a piper carved on it: it bears the date 1810. It is supposed that the stone came from the original castle, and was used when the second castle was built. It was removed to its present position in 1810.

SIR WILLIAM COCKBURN had a charter of the lands of Skirling and other lands from the King in July, 1586, to himself and Helen Carmichael, his future wife.<sup>1</sup> This was granted on the resignation of his father, Sir James, who reserved his own liferent. In 1592 an Act of Parliament was passed erecting Skirling into a burgh of barony, with various privileges.<sup>2</sup> That Act was granted in consideration of "the gude and thankfull service done to His Majestie and umquhile our dearest mother, by umquhile Sir James Cockburn, father to William Cockburn, now of Skirling." Power was conferred to hold a fair day yearly on 4th September, and a weekly market day every Friday. Up to this time Peebles, under its charters, was the trading centre for the whole county, and this Act undoubtedly affected the privileges of that burgh.<sup>3</sup> But it was difficult in these days for people in the outlying districts of the county to attend regularly the markets in Peebles, as the roads were not good, and transport was a difficult question. And Skirling was the place "ewest (nearest) to the maist pairt of the said shirefdome farrest distant fra the said toun of Peiples."

In 1594 there was a curious case of abduction in the county, in which Sir William Cockburn was concerned. On 6th September of that year a complaint was made to the Privy Council on behalf of Margaret Hay, daughter of Thomas Hay at Eddleston Kirk, that upon 24th August—

"His Majesty, being occupiit at the honourable actioun of the baptisme of the Prince, his hieness darrest sone, quhen his majesteis puir subjects luiked leist for ony wrang or violence"—

Thomas Hay, brother of John Hay of Smithfield, came to the dwelling-house of the complainer's mother in Shiplaw—

"and thair perforce tuke the said Margaret, and carried her away with them to the place of Halthrie (Hartree) . . . she being a puir young damsell of xiiij yeris of age."

Cockburn performed the knightly service of rescuing this young damsel, but apparently not from the proper motive, for he took her to his "house of Skraling"<sup>4</sup> and detained her there. Margaret was represented before the Lords of Council by Alexander Horsburgh of Harcus; and Cockburn was ordered to release her "swa that

<sup>1</sup> Skirling Papers.

<sup>2</sup> *Act. Parl. Scot.*, June, 1529, c. 84.

<sup>3</sup> See vol. ii. of this History, p. 192.

<sup>4</sup> The writer of the second *Statistical Account* says that the original castle was never rebuilt or re-inhabited, and that succeeding proprietors occupied a house in the village. This house stood on a site in the present glebe, marked on the Ordnance Survey maps. It was in ruins by the end of the eighteenth century, and was afterwards used as a quarry for stones. "The House of Skirling," according to the writer of the first *Statistical Account*, "appears, by the vestiges of the walls, to have been large. It was surrounded by a morass or bog, except a small space on the south-west side, and that was defended by turrets. The entry to the house was by a bridge of stone over this bog."

she may remane with her said moder, and uther freinds at her plesure." <sup>1</sup>

Sir William Cockburn died a comparatively young man on 30th November, 1596.<sup>2</sup> He married Helen Carmichael, daughter of Sir John Carmichael, and Lady Margaret Douglas, sister of the Regent Morton. There were two sons, William and James, and a daughter Margaret.

WILLIAM COCKBURN was served as heir in December, 1603, seven years after his father's death.<sup>3</sup> In the interval his mother had married James Tweedie of Drumelzier. Dame Jane Herries, the relict of Sir James Cockburn, was still alive—"ane agit gentilwoman, destitute of hir husband and freindis"—and brought an action before the Privy Council complaining that James Tweedie and his wife were not allowing her the benefit of her right of terce.<sup>4</sup> The matter was remitted to the Lord Ordinary, and the defenders were required to find caution for the indemnity of the pursuer to the extent of £1,000.

William Cockburn married in 1604 his cousin Jean, daughter of James Hamilton of Liberton. In 1611 he completed his title to certain lands within the barony described as the Temple lands of Bourhill and Saint John's Hill with the croft called Saint John's Croft and an acre called Graystone acre.<sup>5</sup> These lands of Bourhill in 1531 belonged to Martin Muirhead as son and heir of Elizabeth Bourhill, and he had a charter from the superior, George, Lord St. John, Preceptor of Torphichen. His son Robert, in 1575, took action against Sir James Cockburn who was occupying the lands and obtained a decree ordaining him to remove. This was followed by an arbitration, as a result of which Sir James Cockburn became proprietor of the lands, which were rated at 16s., on payment to Muirhead of 320 merks. In 1576 Muirhead granted a charter to Sir James Cockburn, the lands being held from James Sandilands, Lord of Torphichen, as superior, for a feu-duty of 3s. 4d. Scots, with services used and wont. In 1611 William Cockburn had a charter from Robert Williamson of Muriston, writer, as superior, not only of Bourhill but also St. John's Hill, etc., the feu-duty being 6s. 8d. Scots.

William Cockburn fell on evil times, and his affairs did not prosper. In 1612 he received a licence to go to France, Germany and Flanders

<sup>1</sup> *Privy Council Reg.*, v. p. 165.

<sup>2</sup> Skirling Papers.

<sup>3</sup> *Retours*; Skirling Papers.

<sup>4</sup> Terce was the widow's right to the liferent of a third part of her husband's lands. She was entitled to have the lands divided between herself and the heir by a process called "kenning" the terce. In this process it was determined by lot whether to begin by the sun or the shade, *i.e.*, the east or the west. The Sheriff then set apart the first two acres for the heir, and the third to the widow, and so on till the whole lands were apportioned.

<sup>5</sup> The situation of these Temple lands is a matter of doubt, but the fact that a part of the farm of Skirling Mains lying beside Skirling or Spittal burn is still called St. John's Haugh, suggests that the lands may be in that vicinity.









for three years, and perhaps as a result of this travelling he became involved in debt. In 1616 Robert Hay in the Canongate had a claim against him for £370 13s. 4d. and 100 merks of expenses: it was not paid, and he appealed to the Privy Council, who ordered the Captain of the Guard to apprehend Cockburn, seize his lands, and inventory his goods for the King's use. In 1619 Mr. John Skene, one of the ordinary Clerks of Session, had a wadset over part of the lands of Skirling,<sup>1</sup> and in 1621 the whole lands and barony of Skirling passed into the possession of Mr. Alexander Peibles, advocate, and Agnes M'Cairtney, his spouse.

Thus was terminated the long connection of the Cockburn family with Skirling. William Cockburn, the last proprietor, was admitted a burgess of Peebles on 8th August, 1631. He had a son William, and two daughters, Christina and Lillas. William, the son, had a property in the parish of Newbattle—Stonyflatt or Standanflatt. He married Mary Melrose, had five daughters and a son William, who had also a son William about whom there is no information other than that he was a lieutenant.

#### PEIBLES OF SKIRLING

The charter to Mr. Alexander Peibles and his wife from Charles I, dated 13th July, 1621,<sup>2</sup> explains more fully the privileges which had been given twenty-nine years previously when Skirling was erected into a burgh of barony. Power was given (1) to make bailies, burgesses, etc., (2) to the burgesses to "pack and peill," buy and sell, (3) to hold a court, and have a market cross, and (4) to hold a weekly market and a yearly fair. The Temple lands were confirmed to Peibles by a charter from Thomas, Earl of Melrose, Lord Byres and Binning, dated 17th July, 1621.

#### HAMILTON OF SKIRLING

Mr. Alexander Peibles had an only daughter Katherine, who married (contract dated 20th June, 1621) Sir John Hamilton of Trabroun, the third son of Thomas, Earl of Haddington, the famous "Tam o' the Cowgate." Sir John Hamilton succeeded to the barony, and in the weaponshawing of 1627 his bailie, James Cockburn, was present on the Kingsmuir of Peebles "accompanied with horsemen, all with lances and swords, and four jacks." The new laird, who had not inherited the prudence of his father, fell into debt, and in 1633, with consent of his wife and of his nephew Thomas, Lord Binning, and his brother, Sir James Hamilton of Priestfield, he conveyed his lands to Sir James Hamilton of Broomhill in liferent, and to John Hamilton, younger, his eldest son (afterwards Lord Belhaven)

<sup>1</sup> *R.M.S.*, vii. No. 2035. This wadset included the north and south thirds of Skirling, and an annual rent of £40 from the east third (see p. 224).

<sup>2</sup> *R.M.S.*, viii. No. 201.

and Margaret Hamilton his spouse, in fee. Sir James Hamilton paid off the various debts incurred, and to strengthen his title appraised the lands the following year for the accumulated sum of £33,302 Scots with £1,665 2s. Scots for sheriff's fee. In the Crown charter of resignation dated March, 1634, following on the disposition to Sir James Hamilton, and his son and spouse, the Temple lands are included as being then held of the Crown in place of Thomas, Earl of Haddington, the former superior.

### LIVINGSTONE OF SKIRLING

In 1641 a Crown charter of the lands, on the resignation of John Hamilton with consent of his wife and his father, was granted to James Livingstone, "ane of His Majestie's Bedchamber, and keiper of his privie purss."<sup>1</sup>

### MURRAY OF SKIRLING

In 1648 James Livingstone, with consent of his wife, Anne Naesmyth, sold Skirling for £5,200 sterling to Sir James Murray of Deuchar.<sup>2</sup> This proprietor, on 8th October, 1663, obtained an Act of Parliament changing the weekly market from Friday to Wednesday, and authorising another annual fair to be held on the first Wednesday of June in addition to the other fair on 4th September.

It is related in the second *Statistical Account* that Sir James Murray, along with Mr. James Buchan, the curate, in 1674, "hunted from his house" Peter Gillies of the Waulk Mill because he had permitted a Presbyterian minister to preach in his house. Gillies, a staunch Covenanter, thereafter wandered from place to place until April, 1685, when he was captured at Muiravonside, and killed along with four others at Mauchline on 6th May. His name appears on the Martyrs' Monument at Mauchline, with these lines underneath:

Bloody Dumbarton, Douglas and Dundee,  
Moved by the Devil and the Laird of Lee,  
Dragged these five men to death with gun and sword,  
Not suffering them to pray nor read God's Word,  
Owning the Word of God was all their crime,  
The Eighty-Five was a Saint killing time.

Sir James Murray fell into debt, with the result that a number of appraisings of the lands were led at the instance of various creditors about 1652 and later assigned to Mr. Andrew Oswald, advocate, of Dulders. To him, his son David Oswald was served heir on 10th April, 1683.<sup>3</sup> In the meantime (1656) James Livingstone, who had a wadset

<sup>1</sup> R.M.S., ix. No. 1,003.

<sup>2</sup> He was descended from John Murray of Falahill, ancestor of the Murrays of Blackbarony and Elibank (vol. ii. of this History, p. 472. *Scots Peerage*, vol. iii. p. 499).

<sup>3</sup> Renwick: *Historical Notes*, p. 410.

for £2,000 of the purchase price paid by Sir James Murray, assigned the lands, in consideration of the payment of that sum, to Sir Robert Murray of Cameron (provost of Edinburgh and brother of Sir James Murray). In 1668 Sir Robert Murray conveyed the lands to Sir James Murray's eldest son, James, who on 29th March, 1683,<sup>1</sup> with consent of his father conveyed to Colonel James Douglas, brother of William, first Duke of Queensberry. Colonel Douglas paid off the debts affecting the lands and received the same year a further title in fortification from David Oswald and others. This was followed by a Crown charter dated 11th September, 1684.

## DOUGLAS OF SKIRLING

This laird was bred to the law, and admitted a member of the Faculty of Advocates on 7th December, 1665. But he laid aside the gown for the sword, and was serving on the Continent in 1676. In 1682 he attained the rank of colonel. Two years later he was deeply in debt; but James, Duke of York, interested himself in the affair, and a sum of money was procured that the creditors might be paid "without noyse." In 1684 he was colonel of the Scots Guards, and became lieutenant-general; he was convener of the Commissioners of Supply in Peeblesshire in 1685, in which dismal year he was also associated with Claverhouse in the measures directed against the Covenanters. Among the estate papers is a letter dated 29th March, 1685, to Douglas, who was then in the neighbourhood of Dumfries, from three members of the Privy Council, directing his attention to the fact that by the Commission issued by the Council in his favour on the previous Friday, he had full powers to kill or to save as he should think expedient. According to Wodrow, General Douglas perpetrated a number of cruelties, and local tradition has it that he attacked and dispersed a gathering in a secluded part of Tweedsmuir, on which occasion John Hunter was shot at Corehead. He was also, as the lines before quoted show, concerned in the shooting of the five Mauchline martyrs, one of whom was a Skirling man. After these activities General Douglas went abroad, and died at Namur in 1691. He was survived by his wife, Anna Hamilton (eldest daughter of Thomas Hamilton of Redhouse), and a family of two sons, James and John, and a daughter Margaret. His widow<sup>2</sup> afterwards married General George Macartney.

A rental of the estate made out in 1695 shows that the lands were then let to about forty tenants who paid *in cumulo* £1,680 10s. Scots in money, 167 bolls of bear, 250 bolls of meal, 228 hens, 104 "dargs," 132 loads, and one wedder. With the exception of the farms of Muirburn and "Stainniecastle," the Knock, Skirling Mill, and the Waulk Mill, the rest of the lands were divided into three parts, called

<sup>1</sup> Not 1681 as stated by Chambers. Cf. *Scots Peerage*, vii. 136.

<sup>2</sup> Chambers states in error that this lady afterwards married John Carmichael, first Earl of Hyndford.

the north, south and east thirds, each part being let out in oxgates, of which there appears to have been about fifty in all.<sup>1</sup> The money rent of Muirburn and "Stainniecastle" was £333 6s. 8d., for the Knock, £226 13s. 4d., and for Skirling and Waulk Mills £90. In this rental the revenue from the fairs is estimated at £100 yearly.

James Douglas was served as heir to his father in 1694, and died about 1700, succeeded by his brother William, who died on 4th April, 1712. The lands of Skirling then became the property of their sister Margaret, and were conveyed by her (disposition dated 21st May, 1713) to James Carmichael, second Earl of Hyndford, who received a Crown charter the following month, on which a composition of £298 9s. 8d. Scots or £24 17s. 5½d. stg. was paid, and a further charter on his own resignation in January, 1720, on which a composition of £6 13s. 4d. Scots or 11s. 1½d. stg. was paid.<sup>2</sup>

### CARMICHAEL OF SKIRLING

The new proprietor was a descendant of the notable family of Carmichael of that Ilk who took as their crest a broken spear with the motto, *Toujours Prest*, in token of the prowess of an ancestor who killed the Duke of Clarence at the battle of Beaugè, 1421. He succeeded his father in 1710.<sup>3</sup> Educated at Glasgow University he was made colonel of a regiment of Dragoons in 1706, and became a brigadier-general in 1710. In 1715 he was made Lord of Police for Scotland, and in 1724 he sold Skirling<sup>4</sup> (with the lands of Westraw

<sup>1</sup> Originally it would appear that the whole parish was divided up in this way, and that there were 24 oxgates in each third.

<sup>2</sup> There are no titles among the estate papers between 1684 and 1717. The information here given regarding the transfer to the Earl of Hyndford has been obtained from the records in the Register House. Chambers, faced with the blank in the family papers, gives a somewhat misleading account. It is not unlikely that this transfer may have been the outcome of business transactions between General Douglas and John Carmichael, the first earl. According to an inventory made up in 1693 of the means and effects of Douglas, it appears that several "Bonds, writtes and other securities were in the hands of John, Lord Carmichael (i.e., the first Earl of Hyndford) and Sir William Lockhart of Carstairs, who refuses to deliver up the samen."

<sup>3</sup> John, second Lord Carmichael, first Earl of Hyndford, was born in 1638 and married in 1669 Beatrix Drummond, second daughter of David, third Lord Maderty. He succeeded his grandfather in 1672. He was High Commissioner to the General Assembly of the Church of Scotland in 1690, and again from 1694 to 1699. From 1696 to 1707 he was Secretary of State for Scotland, and was also one of the Commissioners for the Treaty of Union. In 1701 he was created Earl of Hyndford, Viscount of Inglisberry and Nemphar, and Lord Carmichael of Carmichael, with remainder to his heirs male. He died in 1710.

<sup>4</sup> He built a house in the village, the stones for which were taken from the old castle (i.e. the second one), which had then become ruinous. This house was rebuilt in 1837 for the parish minister, Rev. Dr. Hanna, and is still the parish church manse.





THE PIPER'S STONE, SKIRLING



and others in Lanarkshire in real warrandice) to his brother William for £85,315 Scots or about £7,109 stg. The second earl died in 1737, survived by his wife Elizabeth Maitland, only daughter of John, fifth Earl of Lauderdale, and was succeeded by his eldest son John.

## THE EARLS OF HYNDFORD



ARMS.—Argent, a fess wreathed azure and gules.

CREST.—A dexter hand and arm in pale armed and holding a broken spear proper.

SUPPORTERS.—On the dexter a knight armed at all points and holding in his other hand a Marshal's Baton proper. On the sinister a horse of war argent, furnished gules.

MOTTO.—*Tout jour prest.*

William Carmichael, the purchaser, was born in 1671, became an advocate, was appointed King's Solicitor in 1701 and was M.P. for Lanark, 1702-7. He was twice married—in 1709 to Helen, only child of Thomas Craig of Riccartoun, and then to Margaret Menzies, daughter of Alexander Menzies of Culterallers, and widow of John Hamilton, younger of Pencaitland. He died at Skirling in 1759 and was succeeded by the eldest son of his first marriage—he had no children by the second marriage—John Carmichael, who also in 1767 became fourth Earl of Hyndford on the death of his cousin John,

without issue.<sup>1</sup> This proprietor was also an advocate, and during his lifetime he considerably extended the family possessions in the county of Peebles by the purchase of lands in Kirkurd, West Linton and Glenholm, and he fell heir on the death of his brother James in 1784 to the lands of Hailes, which the latter had purchased in 1751. He married in 1749 Janet, eldest daughter and heiress of William Grant of Prestongrange, Haddington, a Lord of Session, and died at Edinburgh in 1787 without issue; his titles and certain estate passing to his cousin, Thomas Carmichael of Mauldslee. His sister Helen married John Gibson of Durie<sup>2</sup> and died a few months before her brother, leaving a family.

#### GIBSON CARMICHAEL OF SKIRLING

Three years before his death the fourth Earl entailed his lands in Peeblesshire, and also the lands of Hailes, in favour of himself and his heirs, whom failing to Alexander Gibson of Durie, advocate, the eldest son of his sister Helen, and his heirs male, whom failing to other specified substitutes. Alexander Gibson had died in 1785, and his eldest son, Sir John Gibson Carmichael, sixth Baronet, succeeded to Skirling and the other lands—the name Carmichael being assumed in view of the obligations of the entail. He married Janet Hyndford Elliot, youngest daughter of Cornelius Elliot of Woollee, W.S., and died without issue in 1803, succeeded by his brother Thomas.

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<sup>1</sup> John, third Earl of Hyndford, was born in 1701, and was an officer of the 3rd Regiment of Foot Guards, of which he was made captain in 1733. He was an excellent landlord, and spent large sums upon his estates of Carmichael and Westraw. He married, first, in 1732 Elizabeth, eldest daughter of Admiral Sir Cloudesley Shovel, and widow of Robert, first Lord Romney, one of the Ladies of the Bedchamber to the Princess of Orange. She died in 1750, and there was one son of the marriage, Frederick, who died of smallpox at the age of 13. The Earl married, secondly, in 1736, Jean, daughter of Benjamin Viger of Fulham in Middlesex, who survived her husband without issue.

He had a distinguished career. He was Lord High Commissioner to the General Assembly, 1739 and 1740. In 1741 he was sent as Envoy Extraordinary and Plenipotentiary to the King of Prussia, and the following year was successful in arranging the Treaty of Breslau. From that King he received permission to add to his paternal coat the Eagle of Silesia, and the motto *Ex bene merito*. In 1744 he was sent on an embassy to Russia; he was sworn a Privy Councillor and appointed one of the Lords of the Bedchamber (1750); Ambassador to the Court of Vienna (1752); and Vice-Admiral of Scotland (1764). He died in 1767.

<sup>2</sup> Descended from Sir Alexander Gibson of Durie, an eminent lawyer, who became a Lord of Session in 1621, as Lord Durie, and was President of the Court of Session in 1642. It was intended to confer on him a baronetcy of Nova Scotia, and there is a copy grant among the family papers of land in that country 6 miles in length and 3 in breadth; but it was not carried through. His grandson was created a Baronet of Scotland in 1702 (see pedigree, Lord Carmichael).

Sir Thomas Gibson Carmichael, seventh Baronet, was a man much beloved in the district on account of his quiet nature and the kindly interest he took in his tenants and employees. He carried out many improvements on his properties by the building of bridges, dykes and farm steadings. He was twice married, his first wife being Janet, daughter of Major-General Thomas Dundas of Fingask and granddaughter of Alexander, ninth Earl of Home. She died at the early age of twenty-six. Of the marriage there were seven children, but only three survived the period of childhood—Alexander, who succeeded; Eleanor Hyndford, who married Sir David Kinloch of Gilmerton, and died in 1849, the same year as her father; and Margaret Anne, who died unmarried in 1842. In 1818 Sir Thomas married his second wife, Anne, daughter of Francis, eighth Lord Napier, and by her was survived by the following: Thomas (afterwards ninth Baronet); Francis Napier (1820-1852); Charles John (1823-1852, captain, 49th Regiment); William Henry (afterwards tenth Baronet); Maria Clavering (d. 1853), who married Sir James Philip Lacaita, K.C.M.G., and left issue; and Sophia Caroline, who married Francis Neville Reid. Sir Thomas died in Naples in 1849.

Sir Alexander, the eighth Baronet, was born in 1812 and was educated at Harrow and Cambridge. He stood as Liberal candidate for Peeblesshire in 1837, and was defeated by a narrow majority. At the Disruption of the Churches in 1843 he showed his sympathy for the Free Church by adding £50 per annum to the salary of each of the ministers of Kirkurd and Skirling, who had left their charges; and in both of these parishes he built new churches almost wholly at his own expense. To prepare himself for political life he became private secretary to the Hon. Fox Maule and held that position for some years. His intention was to take up his residence in Castle Craig (parish of Kirkurd) in May, 1850, and arrangements were made to celebrate the occasion. But the company that gathered was one of mourners over his dead body. The previous month he had contracted a chill at Brighton which developed into a severe attack of bronchial inflammation, and a promising career was cut short.

Sir Thomas, ninth Baronet, was born in 1817; his tenure was also short. He entered the navy, in which he attained the rank of Commander, and married in 1849 Frances Marianne, daughter of the Rev. James Story of Bingfield. He died in 1855 while travelling in Italy, and left no family; he was succeeded by his brother William.

Sir William Henry, tenth Baronet, was born in 1827, and educated at Cambridge, receiving the degree of M.A. He took orders in the Church of England and was appointed curate under Dean Hook, in Leeds. He married in 1859 Eleanora Anne, daughter of David Anderson of St. Germain's; she died in 1861, and thereafter Sir William lived a somewhat retired life at Castle Craig. He was chairman of the Parish Council and School Board of Kirkurd, but took little part in public affairs, devoting himself to the management of his estates, and taking a deep and practical interest in the well-being of



his own people. He died in 1891, survived by his family of three sons, Thomas David (who succeeded), George Henry of Callands, and John Murray.

#### BARON CARMICHAEL OF SKIRLING



ARMS.—Quarterly: 1st Argent, a fess wreathed Azure and Gules within a bordure of the Second; 2nd and 3rd Gules, three Keys fessewise in pale Or; 4th Ermine, on a fesse sable three crescents Argent.

CRESTS.—1st, An arm in armour embowed holding a broken lance proper. 2nd, a pelican vulning herself proper.

SUPPORTERS.—Two angels proper.

MOTTO.—*Toujours prest*, and *Pandite coel estes portae*.

Thomas David, eleventh Baronet, and first Baron Carmichael, was born in 1859 and was educated privately, and at St. John's College, Cambridge, where he graduated Master of Arts. He had a distinguished public career. In 1886 he married Mary Helen Elizabeth, eldest daughter of the late Albert Llewelyn Nugent and sister of Algernon, fourth Baron Nugent. After his succession he took up his residence at Castlecraig and made extensive improvements both on the house and grounds. The personal touch



JOHN CARMICHAEL OF SKIRLING  
(Fourth Earl of Hyndford)  
(d. 1787)  
By Augusto Manucci, 1742



JANET GRANT  
Wife of John Carmichael of Skirling  
By Allan Ramsay, 1749



between landlord and tenant had been an outstanding feature of the tenure of the estates by the Carmichael family, and this was conspicuous in "Sir Thomas," as he then was, and the name acquired a familiar endearing sound. Much was done for the domestic comfort and social happiness of the people on the estates. For a number of years an agricultural show was held at Castlecraig open to the farm tenants and cottagers on his lands.

Sir Thomas disentailed his estates in 1893. The previous year he unsuccessfully contested Peebles and Selkirk, and in 1895 he was elected for Midlothian in succession to the Right Hon. W. E. Gladstone, and held that seat till 1900, when he retired. In 1904 he sold Castlecraig to Mr. James Mann. In 1905 he was appointed Governor of Victoria, Australia, and during his term of office, extending to six years, made himself universally esteemed; in 1911 he was Governor of Madras, and six months later became Governor of Bengal, a position which he held till 1917. Lord Carmichael's work in India was marked by an earnest endeavour to improve the social condition of the natives, and he took an active and personal interest in the institution for Eurasian children at Kalimpong superintended by the Rev. Dr. Graham. The memorial to his rule in India is a Carmichael Institute of Hygiene at the School of Tropical Medicine. On 7th February, 1912, he was raised to the peerage with the title Baron Carmichael of Skirling. Other honours conferred in recognition of his services to the state were: K.C.M.G. in 1908; G.C.I.E. in 1911; and G.C.S.I. in 1917. In the discharge of the duties pertaining to these high offices, Lord Carmichael received great assistance from Lady Carmichael, who by her tact and kindness won the admiration and affection of the people. She was awarded the Kaiser-i-Hind medal of the first class, and was created a Lady of Grace of the Order of St. John of Jerusalem.

In 1905 Lord Carmichael built Skirling House, where he resided in the summer. In 1921 he was appointed Lord Lieutenant of Peeblesshire, in succession to the late Lord Glenconner, a position for which he was peculiarly well

qualified, for he had a deep love for his native county; he was also a deputy Lieutenant of the county of Edinburgh, and he was made a burghess of Peebles in 1922. From his youth Lord Carmichael was a man of many activities, and his wide sympathies, tolerance, and kindly humour combined to create a personality which attracted all with whom he came into contact. In 1907-8 he was chairman of the Board of Trustees for the National Galleries of Scotland; and he was a trustee of the National Gallery as well as of the Scottish National Portrait Gallery. He died in London on 16th January, 1926,<sup>1</sup> survived by his wife. There was no family and no heir to the barony. His cousin, Sir Henry Gibson-Craig, succeeded to the baronetcy.

Sir William's second son, George Henry, was born in 1860, and educated at Fettes College and St. Andrews University. Until the death of his father he resided at Castle Craig, but afterwards lived at Callands (p. 89). There he occupied himself for a few years with agriculture and the rearing of stock. By reason of his gentle nature, frankness and open-heartedness, he was much beloved by the people in the district. For several years he was a familiar figure on St. Andrews Links, and on account of his stature was known among the members of the Royal and Ancient Club as "The Giant." His life was cut short, after a short illness, in middle life, and he died unmarried in 1903.

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<sup>1</sup> The following appeared in the *Times* from an old friend: "Lord Carmichael—or 'Tom' to his friends, devoted friends in every class and among people of the most varied occupations—was one of the rare men about whom there is only one opinion. His originality in all his ways and thoughts, his rich humour, and his wonderful kindness led his friends not only to love him, but to love to talk about him. He thus formed a very notable bond in the friendships of others, a service it is given to very few men to confer. His conversation was always delightful. It would be unseemly to analyse or even to praise anything so natural and modest. What perhaps charmed his hearers most was the combination of slow speech and nimble wit. Whether the subject was pictures or bronzes, politics, bees or centipedes, Scotland or Italy, India or Australia, the same fine taste always shone through his talk, and the same personality, wide of view, free from prejudice, keen as a boy right up to the end with a boy's contempt for any kind of pretence. To his friendships, of which some were made at first sight and many bridged wide gaps of age and station, he brought perfect constancy and that comfortable confidence and contentment which are the soil in which true comradeship flourishes. No need to say that this man will be joyfully remembered so long as his friends live."



"Thee they titled Giant, in their kindly sport,  
 Huge, ponderous, striding the firm sward,  
 Yet light of heart, winning men's love and trust,  
 Of goodness the rich reward.  
 Loving the hallowed stones, the ruined home of Kings,  
 Yet most the billowed links, the prospect fair.  
 Adieu ! Thine was the giant's heart of trusty friend,  
 Of generous impulse to thine own impair."

The third son, John Murray Gibson Carmichael, was born at the close of the same year, 1860, and was also educated at Fettes. Having acquired in his youth a taste for agriculture, he purchased a tract of land in Iowa, America, and went out there in 1881, taking with him from Castlecraig a manager and his wife of the name of Swan. In 1892 he married Amy Katherine, daughter of Frederick Archdale of Baldock, Herts. She died in Iowa in 1899, leaving a son and two daughters. In 1902 he severed his connection with Iowa, and engaged in business as a merchant in London. In 1921 he married Beatrice Mary, daughter of James Donoghue of County Westmeath, Ireland, and died in 1923. His son Alexander David was born in 1895, entered the navy, was in command of a submarine during the Great War, and was killed in action in 1916. The elder daughter, Eleanora Fitzroy, married in 1917 Charles Irving Roddick, and has two sons. The younger daughter, Violet Penelope, is an architect in London.

Prior to his death Lord Carmichael sold most of the farms in the parish, viz.: in 1921, Candieburn (rental, £130) to Mr. James Noble ; Gallalaw (or Townhead) (£233 18s.) to Mr. John Noble ; and Waulkmill (£17 17s.) to R. G. Murray of Spittal ; in 1922, Loanhead Kennels and Fields (£14) to Mr. W. R. Newbigging, Langlawhill ; Skirling Mill (£214 7s. 6d.) to Mr. Alexander Clarkson ; Skirling Mains (£355 5s. 6d.) to Mr. Gavin Lawrie ; Muirburn (£379 14s. 6d.) to Mr. John Watson ; and Kirklawhill (£230 19s. 3d.) to Miss Mary Cossar and Miss Isabella Gibson ; and in 1924, Southmains (£371 6s.) to Messrs. G. W. and H. Millar, and Skirling Craigs and part of Loanhead farm (£174 14s. 3d.) to Mr. Robert Renwick. The remainder is now in the possession of Lady Carmichael and consists of the dwelling-house (£55), the farm of Knockend or Cambwell (£194 7s. 9d.), the small farm of Skirling (£46 15s. 3d.), Loanhead farm (£101 9s.), and the houses in the village, and small lots in the vicinity.

## ECCLESIASTICAL

The earliest reference to the church in Skirling is in 1275 (p. 213), when Master William of Lyndesay, the Archdeacon of Glasgow, was cited at "his own church of Scravelyn" to answer to a complaint for infringing the rules of the cathedral church of St. Kentigern. The lands of the parish belonged at that time to the family of Lindsay, and the Archdeacon in all probability was a relative. The patronage of the church belonged to the successive proprietors of the parish, an account of whom has already been given. The church itself is said to have been dedicated to St. Mary,<sup>1</sup> whose name is also associated with the well at the head of the Skirling burn. The original site of the church is not known, but probably it was in the vicinity of the first castle and near to the present war memorial.

"Hugh, Chaplain of Scravillyn" is referred to in 1299;<sup>2</sup> in 1493 and 1496 Richard Robertson, one of the auditors of the Exchequer accounts, is styled rector of "Skraling," and Sir Alexander Cockburn, who may have been a son of Sir William Cockburn, lord of the manor (p. 216) was rector in the beginning of the sixteenth century.<sup>3</sup> The rectory with the vicarage was rated in Baiamund's roll at £66 13s. 4d., in the *Taxatio Ecclesiae Scoticanæ* at £56 13s. 4d., and in the *Libellus Taxationum Regni Scotiæ* at £16 13s. 4d. At the Reformation in 1560 they were let for £10.

## THE PARISH CHURCH

JOHN COCKBURN, 1565-7. He was the first minister after the Reformation, and he may have been a relative of Sir James Cockburn of Skirling (p. 217). In 1567 he is referred to as rector of Dolphinton, and he was dead before February, 1592.

THOMAS LINDSAY, 1567-1580. He was exhorter under John Lindsay and was continued in that position, and he was also exhorter at Walston, Dolphinton and Dunsyre. When he was ordained as a minister is not known, but it was before 1580, in which year he was translated to Walston.

JOHN PURDIE, 1580-1594 (?) Nothing is known about him. For twenty years prior to 1592 there was a struggle in the country

<sup>1</sup> *Fasti Ecclesiae*, i. pp. 228-9.

<sup>2</sup> *Regist. Glasg.* i. No. 253.

<sup>3</sup> Renwick: *Hist. Notes*, p. 400; *Cockburn Family Records*, p. 138.

between Presbyterianism and Episcopacy, and the former was definitely established by Parliament in 1592.

JAMES HUNTER, 1594-6. He was translated to Skirling from Borthwick, and from Skirling to Smailholm.

ROBERT LIVINGSTONE, 1597-1641. He had been minister of Ellem, from which he was translated to Drumelzier; he was admitted to Skirling on 1st April, 1597, demitted office on 8th April, 1641, and died in 1658. The Church of Scotland became Episcopalian in 1610 and continued so till 1638, that period being known as the First Episcopacy.

In 1598 William Cockburn, burgess of Edinburgh, was called before the Presbytery for breaking up the floor of the church and burying there Hew Cockburn.

The church was visited in 1599. The buildings were in good order, and the minister was found honest in life and conversation, and his doctrine profitable. In 1602 there were about 200 communicants, and the rental amounted to 11 chalders and four bolls victual. The same year the minister was appointed the Presbytery's commissioner to the General Assembly to be held at St. Andrews. At another visitation in 1619 no blemish was found in him, and he did the duty of a lawful pastor.

Two cases of discipline are reported in 1620—John Brotherstones, for adultery with Margaret Tweedie, and Malcolm Porteous for the "cruel and bloody murder" of Michael Matheson. Brotherstones denied the charge, but it was found proved on the woman's testimony, and he had to stand at the church door and on the "pillar" for several Sabbaths in succession and thereafter was sent to finish his repentance at the church at Broughton. But he was in danger of his life at Broughton, and the Presbytery allowed his repentance to be concluded at Skirling, the whole course taking about six months. With regard to Porteous, no token of repentance was found in him even after he had been twice prayed for. Mr. John Douglas of Kilbucho, by direction of the Presbytery, made a third and last prayer, after which there is no further reference to the case.

The Presbytery records of Peebles are awaiting from 1626 to 1649. A manse for the parish was built in 1636.

KENNETH LOGIE, A.M., 1640-50. He was a graduate of Edinburgh University, and although the First Episcopacy was ended in 1638, he was "instituted" at Skirling. He was translated to Kirkcaldy in 1650.

JOHN GREIG, A.M., 1655-1662. He was a graduate of Glasgow University. The extant kirk-session records begin in 1654, and are largely taken up with cases of immorality and drunkenness and failing to attend divine service. As an example of the last, a woman in 1656 confessed her fault in staying with her sister during the time of the afternoon service. She was rebuked by the Session, and appointed to keep the Lord's Day and eschew

the wrath of God. Cases of "flyting" and swearing women are also reported. Fast days were ordained on account of the growth of sin and decay of religion. The congregation of Symington was specially prayed for in 1657, and the 2nd of June, 1658, was observed as a day of humiliation for the sins of Skirling parish. Payments are recorded to lame soldiers, blind men, cripples and to a poor Englishman with nine children.

The minister was suspended in May, 1661, for joining the Protesters, but recalled six months later. After the Restoration he was deprived of his office in 1662 by Act of Parliament (11th June) and of the Privy Council (1st October). From 1661 to 1689 was the period of the Second Episcopacy of the Church of Scotland.

DAVID HAY, 1664-66. He was presented by Sir James Murray, the patron of the parish (p. 222), and appointed by the Archbishop of Glasgow. He was translated from Cathcart, and died in May, 1666. His induction to Skirling took place on 25th August, 1664, when "the book of God called the Bible was delivered to him," and he entered into possession, by symbolical delivery of earth and stone, of the manse and glebe with the full stipend and all the privileges.

JAMES BUCHAN, A.M., 1667-76. It was more than a year after the death of the previous minister before steps were taken to appoint another one. Mr. James Buchan—he was also sought after for the church of Broughton, and received a presentation to that church from the Earl of Wigtown—passed his "trials" before the Presbytery in September, 1667. The subject set to him for his discourse in English was the time occupied in building the Temple of Jerubabel: he had also expositions to give in Greek and Hebrew. He was inducted on 14th November on a presentation from the laird of Skirling.

The following year in July there was a Presbyterial visitation, but the minister had no kirk-session, although he hoped to have one shortly. This may be taken as showing the unpopularity of the "intruded" Episcopalian clergy. Various payments are noted in the records as made from the church collections,—to the distressed folk of Kilmarnock, to a poor sick lassie, for making a "kist" for Janet Thomson, to a poor cripple at the mill, to a poor distressed woman of England and her son who were attacked by the Highlanders in the late war (this was attested by the Presbytery of Kirkcaldy), to a dumb lassie, to a "ship-broken" man, to old Nicol Robb, lying sick, to help to buy him drink, to a poor scholar, to a crack-brained man for mending the ladder of the pillar of repentance—these may serve as examples.

In 1674 James Gillies of the Waulk Mill was hunted from his house by the laird and the curate, and suffered death at Mauchline in 1685 (p. 222). In 1676 the curate was translated to Prestonpans.



WILLIAM LYON, A.M., 1677-1685. He was a graduate of St. Leonard's College, St. Andrews, and passed his "trials" in 1677. He discoursed on the building of the Ark, preached a "popular" sermon from I Corinthians iii. 4, and was instituted on 22nd August. From 1678 to 1680 he had a case of discipline against Archibald Gilbert and Janet Scott, who claimed to be married by Mr. Anthony Murray, the "indulged" minister of Coulter, and the Presbytery took advice "what they shall do in such cases where Indulged Ministers intrudes so upon them." This is another indication of the unpopularity of the Episcopal régime, and many of the parishioners preferred to be ministered to by those who had been "outed" after the Restoration. In 1684 a woman from the parish, who had sinned, was appointed by the Presbytery to appear on three Lord's Days at Manor Church, and thereafter to make satisfaction also at Skirling. Mr. Lyon died in the beginning of 1686.

THOMAS DOUGLAS, 1686-9. He was frequently absent from meetings of Presbytery, being more occupied with his health, and with his marriage.

In 1688 one of the last acts of the Presbytery before Presbyterianism was re-established was to obtain from each minister a report on his benefice. According to this, the stipend at Skirling was 500 merks, a chalder of meal and another of bear; there was a glebe of four acres, a mortification for the poor of 200 merks, and the schoolmaster's fee was nine bolls of meal. In November of that year came the Revolution, and the last Episcopalian curate of Skirling deserted his charge and was subsequently deprived of office by the Act of Parliament, 25th April, 1690, which restored the Presbyterian ministers.

JOHN GREIG, A.M., 1689. He had already been minister of the parish from 1655 to 1662. He was "indulged" at Carstairs, but afterwards suffered imprisonment in the Tolbooth of Edinburgh and on the Bass for his pronounced views. Returning to Peeblesshire he was present in 1687 at the first meeting of the Presbyterian ministers in the bounds of Lothian and Tweeddale, and died in May, 1689, a man "strict in discipline and anxious to promote the interest of holiness."

The parish now desired to call Mr. James Brown as minister, but he became minister of Kilbucho (p. 345). In June, 1689, Margaret Plenderleith petitioned the Presbytery for baptism for her son "begotten in fornicatione" with . . . White, servitor to the laird of Skirling (Lieut. Gen. James Douglas, p. 223), who was then "off the Kingdom." This was agreed to, and William White, probably a relative of the child's father, and John Robb undertook the child's education, and granted a bond that the woman would "answer the Kirk for the scandal." Episcopacy was finally abolished in July, 1689, and in September the parish desired to call Mr. Robert Law. He passed his trials in November,



preaching a "popular" sermon on Ephesians i. 22 and 23, and answering "catechetical and chronological questions and cases of conscience." He was considered somewhat deficient in his knowledge of Hebrew and was "injoined to study more of it, which he promised to do."

ROBERT LAW, 1690-9. He was ordained on 12th March, 1690, and on 18th July, 1699, was translated to Shotts. The communion expenses in 1696 are given—for the bread £2 14s., for the wine £16 12s., for wages to the carrier for bringing home the elements £1, and for nails to the communion tent 3 pence.

JOHN MURRAY, A.M., 1701-15. Skirling is now in the Presbytery of Biggar. He was a graduate of Edinburgh University. After his ordination, the Session made a list of the church effects and these were handed over to the minister—an old Bible; Acts of the General Assembly 1638-1649; Confession of Faith; the communion tables and four forms; a big and a little mortcloth; a black poke; 500 communion tokens; a chest with a lock; £16 4s. 2d. Scots in the box; a basin for baptism; and a sand-glass. A number of cases of discipline are referred to in the records.

James Jackson, miller, was reprov'd for drunkenness in 1703, but he offended again, and "carried himself unbecomingly to the minister." The minister told his elders that the man had expressed his sorrow to him and that "for himself he would pass the said James, if they would consent." No further proceedings were taken, and judging from other incidents it appears that this minister was of a kindly nature, and preferred private censure to bringing the culprit before the congregation. The system of "privy censure" was now generally adopted. Only for very serious cases were the offenders brought before the congregation. To conduct business on the Sabbath was considered a very serious offence, and for this the minister in 1711 brought James Wyper before the Session. He admitted taking his creels down on the Sabbath day to Skirling Place and from there to Biggar on a pack horse. He was appointed to appear publicly before the congregation, there to acknowledge his sin, and receive a rebuke from the minister.

Mr. Murray died in 1715, in his thirty-eighth year, and in the records appear the following verses to his memory by Frank Liverance, who was the Session clerk and schoolmaster at the time :

Mr. John Murray of great renown  
Was well beloved of all in town,  
As likewise of all in the country  
And his hearers that lived hard by.  
A spokesman good at Presbytery,  
A good dictature in the Session,  
To him to preach was no oppression ;

Good and genteel to everyone,  
 The poor folk never he did bann,  
 To him poor hearers took good heed,  
 Relieved all that stood in need,  
 For elders to assist their turn  
 James Dick, Patrick Plenderleith and Richard Burn.  
 If these were absent and not at hand,  
 Michael Rob and John Pow was at hand,  
 These lines I can no more advance,  
 They had for Clerk, Frank Liverance,  
 For to write more I have no time,  
 So I leave off my fagged rhyme.

ALEXANDER DOUGLAS, 1718-19. He was called on 11th November, 1717, and ordained on 29th April, 1718. A list of effects was again made by the Session which was similar to the list already referred to, but there was more money in the box—£65 18s. 8d. Scots, together with £10 4s. 4d. in doits and Irish half-pennies.

There is a reference to a penny wedding in June, 1718, which John Williamson and Jean Rob designed to have in the house of Jean's father, John Rob. The Session demanded an obligation from John Rob and the bridegroom for £40 Scots to be paid for the use of the poor in case of any disorder.

As usual, there were cases of discipline, and then unfortunately the minister became involved in one of his own making. On 13th November, 1719, he met with his elders, not as minister, for he had been deposed the previous day "for his abominable and scandalous sin of fornication with Jean Wright, his mother's servant," but to hand over to them the box with the money in his hands belonging to the poor. He thought it proper that the elders "should set some time apart for solemn prayer to God on this sad and melancholy occasion": this was agreed to, and the following day was fixed for that purpose.

Mr. Douglas was readmitted to the ministry in 1721, and became minister of East Calder.

THOMAS HENDERSON, 1720-1764. He had been chaplain at Leadhills. He was called on 17th August, and ordained on 25th September, 1720, in which year the church was practically rebuilt. The manse was rebuilt in 1725. The population of the parish in 1755 was 335. Mr. Henderson died on 7th May, 1764, after a ministry of 44 years. His wife was Rachel Kinnaid, and, as a marble tablet on the wall of the church testifies, they had nine children. One of the sons, Thomas, was surgeon of the 90th Regiment and died on service at the siege of Havannah in July, 1762.

WILLIAM HOWE, 1765-96. He was presented by John Carmichael of Castlecraig, advocate (p. 225), and was ordained on 17th April, 1765. A new communion table was presented by John Carmichael in 1767, and in the same year there was a case of discipline where

the poor woman had to do penance on six occasions before the congregation. In 1776 a man sought baptism for his triplets, but being a drunkard was not allowed to stand as sponsor, until he had professed repentance before the congregation. In 1792 the minister wrote the first *Statistical Account* of the parish: the population was then 234, a decrease of 101 since 1755, and the glebe extended to 7 acres 3 roods and 19 falls. He died on 10th December, 1796. One of his sons, James, became a well-known animal painter (p. 210).

JOHN ALPINE or MACALPINE, 1797-1836. He had been a teacher of elocution in London, and he there altered his surname from Macalpine to Alpine. He was presented to the parish by Sir John Gibson Carmichael of Skirling. In his time the stipend amounted to £38 17s. 8d. in money, and one chalder of bear, and 17½ bolls of meal, and the inventory of church property included two flagons and two communion cups. He was ordained on 12th September, 1797. In 1801 the population was 308 and in 1803 the present manse was built. In 1807 it was resolved to discontinue inserting matters of scandal in the records, the slips containing the narrative to be destroyed after the case was dealt with. In 1823 a petition was presented to the Session with consent of the patron, Sir Thomas Gibson Carmichael, containing 17 names, disapproving of entertainments at funerals. The road through the village was remade and widened in 1828 and for that over an acre was taken from the glebe, but an equivalent amount was added by Sir Thomas Gibson Carmichael. Mr. Alpine wrote the second *Statistical Account* of the parish in 1831, the population was then 358, and the stipend was £193 4s. He died on 1st November, 1836.

DAVID GARDNER, 1836. He was assistant to Mr. Alpine from 1824, on whose death he was presented as minister by Sir Thomas Gibson Carmichael, but he died on 6th January, 1837, before being ordained. There were 160 communicants in the church at this time, which was attended by 53 families out of a total of 64.

WILLIAM HANNA, 1837-43. He was ordained as minister at East Kilbride in 1835, and was presented to Skirling by Sir Thomas Gibson Carmichael. In 1838 44 families were attending the church. At the Disruption in 1843 Mr. Hanna "came out" and joined the Free Church of Scotland. For five years he was Free Church minister at Skirling, and in 1850 he was translated to Free St. John's Church, Edinburgh. From Glasgow University he received the degree of doctor of divinity in 1847, and a similar honour from Edinburgh University in 1864. He published a number of books, including a life of Dr. Chalmers, his father-in-law. He died in London in 1882.

WILLIAM M'KENZIE, 1843-54. He was a Kirkcudbright man and had been English Master at the Academy there. He was ordained

on 10th November, 1843, and the following year there were only 23 communicants, showing what a difference the Disruption had made. But in 1852 the number had risen to 36. Mr. M'Kenzie died on 21st February, 1854.

MATTHEW ARMSTRONG, 1854-88. He had been assistant minister to Mr. M'Kenzie, and was ordained on 9th June, 1854. The number of communicants in June, 1882, was 52. There are practically no entries in the records now—a contented parish with no history. Mr. Armstrong died on 23rd January, 1888, and the Session minute book records deep regret at his unexpected death, and the high esteem in which he was held.

JOHN BROWN ARMSTRONG, 1888-1906. He was the son of his predecessor. During his time reports of scandal are recorded again, but no other facts concerning the parish, not even the number of communicants. Instrumental music was introduced in 1901. Mr. Armstrong died on 5th May, 1906.

Thomas Muir, M.A., B.D., 1906. He was licensed by the Presbytery of Hamilton, ordained minister of Methil in 1891, and was translated and admitted to Skirling on 25th September, 1906. He is still in office. There are about 100 communicants on the roll. Mr. Muir received in 1926 the degree of Ph.D. from Edinburgh University, the subject of his thesis being *The Scots Confession of 1560 : Its Sources and Distinctive Characteristics*. His other degrees of M.A. and B.D. were from the University of Glasgow.

#### THE UNITED FREE CHURCH

WILLIAM HANNA, 1843-48. At the Disruption in 1843, as already noted (p. 238), the Rev. William Hanna, parish minister of Skirling, left the Church of Scotland, and became the first Free Church minister in the parish. A church was built largely by the generosity of Sir Alexander Gibson Carmichael (p. 227), and a manse was also built in 1846 at a cost of £450, of which £400 had been contributed by Mr. Hanna himself and friends. He married a daughter of Dr. Chalmers, and in 1848 resigned his charge in order to reside in Edinburgh and edit the letters and MSS. of his father-in-law. In the same year, it was reported to the Presbytery that the congregation was made up for the most part of the inhabitants of the parish, the population of which was 350. There were 106 names on the communion roll. A call was offered to the Rev. William Tasker of the Chalmers Territorial Church, West Park, Edinburgh, but the Presbytery of Edinburgh refused to translate him.



ISAAC BARRETT, 1849-77. A call to Mr. Barrett was signed on 9th July, 1849, by 142 communicants and adherents. He was ordained on 31st August, and the Session records begin on 15th November. The manse was enlarged in 1866 and the cost of that was apparently paid by Mr. Barrett. In 1869 there were 152 communicants and 120 in 1876, in which year leave of absence was granted to Mr. Barrett on account of ill health. He died suddenly at Braemar on 18th July, 1877.

There were 116 communicants in 1877, and after Mr. Barrett's death, it was reported to the Presbytery that several large sums hitherto received would no longer be available, showing that he had been of great financial assistance to the congregation. In January, 1878, the Rev. Richard Cameron was called as minister, but declined.

JAMES ANGUS, 1878-83. A call to him was signed on 1st March, 1878—there were 122 signatories—and he was ordained on 5th April. He was translated to the West Church, Stirling, where he was inducted on 23rd August, 1883.

D. S. M'DONALD, 1883-87. He was called on 29th October, 1883—call signed by 4 elders and 55 members—ordained on 28th November, and translated to the Free Barony Church, Glasgow, where he was inducted on 15th March, 1887.

THOMAS RAMAGE, 1887-8. He was called from Cleland and inducted on 2nd June, 1887. He died on 14th October, 1888. The communicants numbered 106.

MATTHEW WHITE, B.D., 1889-96. He was ordained on 5th March, 1889, and resigned on account of ill health on 11th May, 1896.

The Presbytery considered a proposal that the churches of Skirling and Elsrickle (Lanarkshire), be united, and decided against it. The congregation promised an annual contribution to the central Sustentation fund of the Free Church of £68. The Rev. A. M'Kenzie from Glasgow was called as minister, but declined, as he was going to Australia.

A. P. DAVIDSON, 1896-1909. The call was signed by 65 members. He came from Edinburgh, and prior to 1894 had been a colleague-minister of Knox Church, Dunedin. He was inducted on 15th October, 1896. In 1897 the church and manse required extensive repairs, and by 1900 £603 18s. 6d. had been collected. Instrumental music was approved of in 1900, and in that year the Free Church and the United Presbyterian Church of Scotland were united under the name of the United Free Church of Scotland. In Skirling a protest against the Union was recorded by two of the congregation, David S. Moncrieff and John P. Russell, on the ground that the minority were the upholders of Free Church principles as embodied in the constitution of 1843, especially the principle of Establishment. In 1901 the communicants numbered 83, but in 1909 they were only 37. On 10th October,



1909, Mr. Davidson resigned. The church was now hardly in a state to support a minister.

D. B. CROOM, 1909-13. He had a charge at Florence, and was elected to Skirling on 14th December, 1909. He died in Edinburgh on 5th March, 1913.

On 8th July the Rev. A. Scott Berrie, Broughton (p. 348), was appointed by the Presbytery of Lanark to conduct services at Skirling, and on his transference to Abbey St. Bathans, the Rev. A. M. M'Kerdie, Elsrickle, undertook the same duty on 10th July, 1917. Since 14th December, 1920, that duty has been undertaken by the present minister at Elsrickle, the Rev. William Lees. The communicants in 1915 numbered 52; in 1916, 39; in 1917, 45; in 1923, 35; and in 1924, 39.

## CHAPTER V

### BROUGHTON, KILBUCHO, AND GLENHOLM

THIS parish includes three old parishes, Broughton, Glenholm, and Kilbucho, which were united for ecclesiastical purposes in 1794.<sup>1</sup> In length it extends to about  $9\frac{1}{2}$  miles and in breadth to about  $3\frac{1}{2}$  miles. It is bounded on the north by Kirkurd, and on the east and north-east by Stobo, on the south-east and south by Drumelzier, on the west by Coulter (Lanarkshire), and on the north-west by Skirling. The area is 19,797 acres. The population (1921 census) is 739<sup>2</sup> and the rental, 1926-7, £20,868 14s. 9d.<sup>3</sup>

This is one of the most beautiful districts in the county. Entering the parish from the north by the highroad between Edinburgh and Moffat at the Kaimrig End, or as it is more frequently called, the Ruchill End (probably a corruption of rough-hill-end), the view is down the valley of the Broughton burn, and in the distance are the mountains of the upper Tweed and the massive outline of Broad Law. On the left is a range of hills, Pyked Stane (1872

<sup>1</sup> A part of Kilbucho was added to Coulter (Lanarkshire), but was again transferred to Peeblesshire by the Boundary Commissioners in 1892.

<sup>2</sup> This is a considerable reduction from the figures 150 years ago. In 1755 (Dr. Webster's calculation) the population was 1037, in Armstrong's day (1775) it was 804, in 1791 (first *Statistical Account*) it was 926, and in 1831 (second *Statistical Account*) it was 922.

<sup>3</sup> In 1793 the rental of Broughton was about £700, Kilbucho and Glenholm about £1000 each. In 1864 the combined rental was £9472 5s. 6d. The aqueduct between Talla reservoir and Edinburgh, completed in 1905, passes through the parish along the highroad for a distance of about  $7\frac{1}{2}$  miles. The valuation of the pipes has considerably increased the valuation of the united parish, and amounts to £9291.

feet), Greenlaw, Cloverhill, Ratchill and others, dividing Broughton from the parish of Stobo; on the right is a lower range dividing it from Skirling.

Down this valley goes the highroad, crossing the Broughton burn at that spot called of old *Clashieford* (a suitable name in those days when roads went through streams and not over them on bridges), and three miles further on the beautifully wooded village of Broughton<sup>1</sup> is reached, where the scenery becomes more pastoral, with sheep and cattle grazing in green meadows. At the village the highroad is joined by the road from Biggar, and a smaller road breaks off to the left across the burn and winds its way over the ridge of Dreva hill to the Tweed valley and Peebles. A quarter of a mile beyond the village the road crosses the Biggar Water (into which the Broughton burn flows), and that is the boundary of the old parish of Broughton.

Now we are in Kilbucho, but the road only cuts through a narrow corner of it. Here is the railway station, the post office, the Parish and U.F. Churches and about half-a-dozen modern dwelling-houses. Here also is the Gala Plantin' at the foot of the Hill o' Men (or Helmen as the Ordnance maps, without much reason, have it), where the gallows stood in the days of old, and the baron of Kilbucho dispensed his summary justice. *Calzeat* or *Calzeat Clibanum* is the name of this part of the parish, strange words the derivation of which is obscure. Another road which comes from Biggar and the west country through the old parish of Kilbucho joins the main road at the post office. The present farmhouse of Calzeat, beside

<sup>1</sup> In 1617, when James VI. returned to England after the famous visit to his native country, the village of Broughton was fixed on as the first stage in the transit of "his Majesteis cariage and household stuff." The Privy Council on 15th July ordered that upwards of eighty horses should be brought to Holyrood Palace "about the brek of day in the morning of the 16th, for lifting of his Majesteis cariage and caryeing the same thairfra to Broughtoun and Tuedaill." The 17th of July would be a busy day in the village, as fifty horses had then to be provided by the county "in reddyne at Broughtoun . . . to lift his Majesteis cariage, and carye the same thairfra to Dumfries." The King himself did not pass through the village, but held further west, reaching Glasgow on 22nd July.

the Parish Church, was an inn in the beginning of last century.<sup>1</sup>

After passing the churches the road enters the old parish of Glenholm, and here the hillsides and meadowlands are beautifully wooded. This is the estate of Rachan and Whitslade, on which successive proprietors have spent much care and money. The modern house of Whitslade stands high up on the right-hand side of the road, and on the other side is the mansion house of Rachan, at ease among its lawns and woods and meadows. The road now crosses the Holms Water, and there is here a small village (Rachan Mill) from which the road to Peebles by Drumelzier breaks off to the left. Further on, the road up the valley of Glenholm leads off on the right.

The road rises gently to cross the ridge, passes on the right the old ruined tower of Wrae, one of the strongholds of the Tweedies, and descends through the woods of Mossfennan to the valley of the Tweed, which divides Glenholm from the parish of Drumelzier for about four miles. Mossfennan had its tower in the old days, and there is a reference to it in the ballad :

“ The King rode round the Merecleuch Head,  
Wi’ spotted hounds and spaniels three,  
Then lichted down at Mossfennan Yett,<sup>2</sup>  
A little below the Logan Lee.”

The scenery becomes wilder, the valley narrows, and high hills crowd down from their narrow glens. When the sky is blue and the sun is shining and the links of Tweed are glittering, it is a scene of quiet peace and beauty ; when the mist comes down and the hills grow dark with rain, then

<sup>1</sup> Calzeat is pronounced Callate, and the inn had a sign inviting the passer-by—

“ Call late or call sune,  
Ye’ll get drink till your money’s dune.”

On one occasion, it is related that, the weather being cold and stormy, and there being only seven in the church, the Rev. Hamilton Paul adjourned the service to the comfortable inn parlour, taking the Bible with him. And after that, refreshments were ordered “ for the good of the house.”

<sup>2</sup> The old entrance to the house, a hundred yards or so below the present entrance.

the Tweed flows the colour of lead and becomes the wan water of the ballads. The road now passes out of the parish, on its way to the head of Tweed and Moffat, after crossing the Logan burn near to that famous spot called Lincumdoddie, where Willie Wastle dwelt, who had the misfortune to have an extremely unprepossessing wife, whose face "wad fyle the Logan Water."<sup>1</sup>

The highroad which we have been on shows us little of the glen of Holms Water, which is the main part of Glenholm, practically nothing of Kilbucho, and nothing at all of the Kilbucho burn. To see Glenholm we must leave the highroad at Rachan Mill and take the road leading up the side of Holms Water. On the left is the Duckpool, which has a curious history (p. 296); on the right, two or three cottages called Heughbrae. Further on is Holmsmill, and then the old Glenholm churchyard with the remains of the church, and on the hillside opposite, the lands and house of Quarter. For four miles beyond that the glen extends. "A delightful pastoral vale," the Rev. Hamilton Paul called it, which describes Rachan well enough, but is no kind of description for upper Glenholm, for it is the high surrounding hills, Cardon, Chapelgill and Coulter Fell, steep and bare, that dominate the scene. At the head is Glenwhappen Rig (2262 feet), from which a narrow ridge runs down to Holm Nick, the watershed between Glenholm and Coulter, and then rises to Coulter Fell (2454). On the left is a series of hills dividing the Holms Water from the Kingledoors burn (in the parish of Drumelzier), and on the right the buttressed heights of Chapelgill (2282) and Cardon (2218). Down the narrow glen thus formed the Holms Water flows, rising in haste and falling in pools from the gigantic shoulders of Glenwhappen Rig and Coulter Fell, then winding its way quietly past Glenkirk, the old home of the Porteous family, Glencotho, Glenhigton, Cardon, receiving smaller hill streams in its course, and finally through the wooded policies of Rachan, to find its rest in the Biggar Water. There are many hill glens like Glenholm in the Borders. They are

<sup>1</sup> See Vol. I. p. 190.



all beautiful, but Glenholm takes pride of place, not because of the Holms Water, lovely as it is, but because of a certain grace of setting. It is perfect in form, and Cardon itself has a classic dignity of outline which puts it in a place apart from other hills.

While Glenholm and Broughton are definitely in the Borderland, Kilbucho is on the fringe, and the scenery there, except up Kilbucho burn itself, is more pastoral. The Biggar Water rises in the moors above Biggar and flows to Broughton through a level strath, and so level is it that, as Armstrong cannot help observing, "were the project of general service, the course of Clyde might easily be diverted . . . to influx its contents with Tweed." It is said that in great floods it is in fact possible for fish to pass from Tweed to Clyde by the flooded meadows round Biggar.

The road from Broughton which leaves the highroad at the post office, runs up the valley for about two miles, with the railway and Biggar Water on the right, and on the left a ridge of hills, beginning with the Hill o' Men and ending with Cardon, which divides Kilbucho from Glenholm. At Kilbucho Place (the old Kilbucho House, the home of the Dicksons) the road splits into two, the one on the left going up the side of the Kilbucho burn, the other crossing the burn and continuing up the Biggar Water to Hartree and Biggar. Taking the former, for we can return by the latter, we reach Kilbucho Mains, on which a commodious dwelling-house has been built of late years, and then the farm of Blendewing and Raw. Here Cardon again dominates the scene. Beyond Blendewing is Mitchelhill, where the old church of the parish stood, and opposite are the farms of Goseland and Howslack. The road now ascends sharply to cross the ridge at the county boundary, known as Corscryne,<sup>1</sup> from which looking back there is a fine panorama of the whole glen. To the left of Corscryne is the farm of the

<sup>1</sup>Owing to the cession of territory by Edward Balliol to King Edward III. in 1334, Corscryne and also Carlops (West Linton) marked for a time the boundary between England and Scotland, and are referred to in Wynton's *Chronicle*. It was at Corscryne that the English lay encamped before the battle of Biggar in 1297—a battle which is not accepted by historians, as the story rests mainly on Blind Harry's poem (cf. *Biggar and the House of Fleming*, pp. 434-437).

Shaws or Southside, and on the right a small road descends abruptly to join the road to Hartree and Biggar which we left at Kilbucho Place. At the junction is the farm of Knowehead, to the left the farm of Thriepland, and in front Hartree House and its policies, for long the home of another branch of the Dicksons. On the hillside above Thriepland is a large hollow known as the "hole abune Thriepland,"<sup>1</sup> the subject of an old rhyme :

" Glenkirk and Glencotho,  
The Mains o' Kilbucho,  
Blendewin' and the Raw,  
Mitchelhill and the Shaw—  
There's a hole abune Thriepland  
Wad haud them a.' "

Returning by the road towards Broughton, we follow the course of the Biggar Water, passing the farms of Pyetknowe, Burnfoot, Bamflat, Cleuch and Parkgatestone, and so reach the Kilbucho burn again at the farm of Kilbucho Place.

With the aid of extant records an attempt will be made to tell the story of the lands in the united parish, and after that an outline of the ecclesiastical history will be given.

### BROUGHTON

The earliest form of the name is *Broctun*, signifying either the dwelling-place of an early settler of the name of *Broc* or the dwelling in a sheltered place (*brouch*—Anglo-Saxon). The latter derivation may be preferred, as the records do not disclose any early owner with any such name, and the situation of the village quite corresponds with the description.

The Broughton burn rises on the shoulder of Pyked Stane (1872 feet)—a hill where the three parishes of Stobo, Broughton, and Kirkurd meet—and winds its way southwards for about four miles through a valley protected on either side by a high ridge of hills, to join the Biggar Water.

<sup>1</sup> This is said, according to Chambers, to have been caused by digging for lead or some other ore in the reign of James V., but the hollow is probably natural.

This burn is joined about half a mile above the village by a smaller stream called originally the Hollows burn (now the Dean), which flows westwards through the glen of Broughton Place farm. The village of Broughton lies at the foot of the valley, on the right-hand side of the burn, and through it runs the road from Edinburgh to Moffat. At the head of the valley, which is over two miles in breadth, is Stirkfield, from which there is a fine view of Broad Law and the high hills overlooking the upper reaches of the Tweed. The next farm is Cloverhill, from which, given favourable weather conditions, it is possible to see the hills of Arran. Below Cloverhill are the farms of Broughton Place and Ratchill on the left-hand side of the burn, and on the other side Broughton Green, Langlawhill, Burnetland and Corstane, but the last three are more in the watershed of the Biggar Water. This beautiful tract of country comprises the old barony of Broughton.

#### THE BARONY OF BROUGHTON

The earliest owner of whom there is any trace is Ralf le Neym. He was a Norman, and was in possession of lands not only in Broughton but on the eastern marches between England and Scotland, and also in the Buchan district in the north.<sup>1</sup> Between 1175 and 1180 he granted a half ploughgate of land (52 acres) in Broughton to the chapel there, in free and perpetual alms,<sup>2</sup> together with a toft and croft and common pasturage. This chapel was probably on the site of the parish church, the ruins of which can still be seen in the churchyard above the village. The half ploughgate of land became known later as Broughton Shiels, and lay along the side of Broughton burn, above Cloverhill.

Another proprietor appears about 1200—"Dudyn of Broughton,"<sup>3</sup> who took his designation from the lands, and was a witness at the inquiry into the marches of Stobo.<sup>4</sup> His family continued in possession for at least a century, and "Alisaundre Dudyn" signed the Ragman Roll in 1296 in respect of his lands in Peeblesshire. Duddingflat, a 20s. land in the parish, referred to in one or two of the older writs,

<sup>1</sup> *Origines*, vol. i. p. 201.

<sup>2</sup> Renwick: *Historical Notes*, p. 198, where the grant is quoted in full.

<sup>3</sup> There was a Dodin who owned lands in West Linton about 1164; perhaps he was of the same family.

<sup>4</sup> *Regist. Glasg.* p. 89.



THE HALDANE-TWEEDIE MEMORIAL TABLET  
BROUGHTON CHURCHYARD





may be so named after Dudyns's ownership. That property<sup>1</sup> is now called Broughton Knowe.

The next proprietor of whom there is record is Edward "Hadden" (Haldane) of the family of Haldane of that Ilk, who had a charter of Broughton from King David II. to himself and his wife.<sup>2</sup> The Haldanes were connected with Broughton for three centuries, and may originally have held the whole barony, but by 1400 their possession was restricted to one-half, the other half having become the property of David Mowat of Stonehouse, Lanarkshire, by a charter from King Robert III. (1390-1406).<sup>3</sup> The whole barony was a £40 land of old extent.

#### HALDANE OF BROUGHTON AND OF THAT ILK



Gules, two leopards passant guardant Argent.

Dealing with the Haldanes' half, there is a record of William "Hawdene" and his son John in 1407;<sup>4</sup> of William Haldane, who appeared in 1510 at the head court of Peeblesshire for his lands in Broughton;<sup>5</sup> of William Haldane of that Ilk and Janet Hume, his wife, in 1523-4,<sup>6</sup> and of his son John in 1550.<sup>7</sup> In 1558 John Haldane of that Ilk married Margaret, daughter of Richard Brown of Hartree, and granted to her a liferent charter of his £8 lands of the Mains of

<sup>1</sup> It was occupied in 1623 by William Hunter, a kinsman of the Polmood family, and was then called alternatively the Know or Duddingflat. (Process in the case of Adam Hunter v. Lady Forbes.)

<sup>2</sup> Robertson's *Index*, p. 59, No. 18.

<sup>3</sup> *Ibid.*, p. 148, No. 14.

<sup>4</sup> *R.M.S.* i. p. 238.

<sup>5</sup> Yester Writs.

<sup>6</sup> *Ibid.* No. 247.

<sup>7</sup> *Peebles Protocols*. John Haldane was infeft as his father's heir on 10th November, 1550, and it was stated that the lands had been in non-entry for seventeen years, since September, 1533. Janet Hume, widow of William, was cognosced to her terce out of the lands on 19th June, 1555.

Broughton. George Haldane of that Ilk succeeded in 1595 his brother William, and married (contract dated 5th August, 1596) Nicole Tweedie, daughter of Adam Tweedie of Dreva; she was given the liferent of the lands and of the manor place called Littlehope.<sup>1</sup> George Haldane died about 1616, and his son John was infeft as his heir in 1624.<sup>2</sup> He resigned the lands in 1625, along with part of the barony of Haldane in Roxburghshire, to Andrew, Master of Jedburgh,<sup>3</sup> but this was probably in security of debt, as two years afterwards there is a Crown charter, on the resignation of the Master of Jedburgh, by King Charles I. to John Haldane of that Ilk and Margaret Drummond, his wife.<sup>4</sup> At the weaponshaw in Peebles in 1627 John Haldane was not present, but he was represented by his bailie, of the same name, "with ten horsemen and two footmen, all with lances and swords." In 1634 John Haldane, with consent of his wife, and also with consent of William Haldane in Broughton, donator to his liferent escheat,<sup>5</sup> conveyed his lands in Broughton to Sir David Murray of Stanhope in liferent, and John Murray, his eldest son, in fee.

John Haldane<sup>6</sup> was the last Haldane of Broughton. He served in the Wars of the Covenant as Captain of Lord Balgonie's horse troopers, and was killed in England. In the Presbytery records (1644) he is referred to as a "worthie gentillman killed in the defence of a good cause." His widow and family resided for a time in Glenholm.<sup>7</sup>

<sup>1</sup> *R.M.S.* 1609-20, No. 1776. In the Broughton churchyard is a stone built into the gable of the old church bearing the initials and date, *G. H. N. T. 1617.*

<sup>2</sup> Burgh Court Books.

<sup>3</sup> *R.M.S.* 1620-33, No. 844.

<sup>4</sup> *Ibid.* No. 1138.

<sup>5</sup> "Liferent escheat" was one of the feudal casualties, and arose by denunciation of the vassal for a criminal cause unrelaxed for a year and a day, or by his receiving sentence of death and escaping. The superior thereupon had the right of possession of the vassal's feu.

<sup>6</sup> He also sold the lands of Haldane, and the family were no longer "of that Ilk." According to a draft pedigree in the Lyon Office, there were eleven generations of Haldane in Broughton—Edward (1325-1355); Bernard (1355-1385); William (1385-1415); John (1415-1445); William (1445-1499); Ninian, who married Elizabeth Ker, and died 1500-1; William, who married Janet Hume (1500-1533); John (1533-1577); William, who died *circa* 1585; George, who married Nicole Tweedie (1585-1615); and John, who married Margaret Drummond (1615-1644). This old family is now represented by the Oswalds of Auchencruive.

<sup>7</sup> John Haldane had a brother, Alexander, who was imprisoned in 1646 in the Steeple of Peebles for abuses committed on John, Lord Linton's lands and tenants of Innerleithen. He was released the following day on giving his faithful promise to Sir James Hay of Smithfield that he would not further molest these tenants, under pain of compensation, defamation, and death. For this he gave his oath, as he was unable to write (Burgh Court Books).

MOWAT OF STONEHOUSE AND BROUGHTON<sup>1</sup>

Turning now to David Mowat's half, it was confirmed to one of his successors, Alexander Mowat, by King James IV. by a charter dated 27th January, 1506-7,<sup>2</sup> and the property is described as half of the lands and mill and barony of "Broughtoun," with tenandries, etc., in the shire of Peebles. The lands of Stirkfield, a tenandry of the half barony, are expressly excepted, and licence is given for infesting Alexander Weir of Blackwood<sup>3</sup> and William Inglis of Langlawhill in

## HAMILTON OF STONEHOUSE AND BROUGHTON



ARMS—Gules, a heart argent between Three Cinquefoils of the second; a crescent for difference.

their holdings. This Alexander Mowat about the same time granted the lands of Broughton and also other lands to his son John, under reservation of his own liferent. At Flodden he bore the King's Standard, and was killed, and by 1517 his son John was also dead, as

<sup>1</sup> "Mowat of Stenhouse, a son of Baquhyllie, and a favourite of King James II., got from him, after ye forfeiture of the Douglasses, a good part of the parish, but the family ended in an heiress." (*Description of Lanark*, by Hamilton of Wishaw. MS. Advocates' Library.)

<sup>2</sup> R.M.S. 1424-1513, No. 3036.

<sup>3</sup> Nothing further is traced of his connection with Broughton; the title may have been of the nature of a wadset. In 1452 Henry Weir, brother and heir of Ralph Weir of Blackwood in Clydesdale, granted to William, first Lord Somerville, a £10 land in the barony of Broughton, *i.e.* one-half of the half barony. Lord Somerville, who, it is recorded,

in that year, by a charter dated 28th March, the King, James V., "quit-claimed" the lands to Margaret Mowat, the daughter of John.<sup>1</sup>

Margaret Mowat married James Hamilton, eldest son of James Hamilton of Raploch,<sup>2</sup> and died before 1539, leaving a family of five sons—James, John, Robert, Archibald and Thomas—the eldest of whom, James, succeeded to Stonehouse and the half barony of Broughton. These lands he resigned in 1543 to his father in liferent and himself in fee, and this was followed by a charter from Queen Mary dated 27th September.<sup>3</sup> James Hamilton, the father, married as his second wife Grisel,<sup>4</sup> eldest daughter of Robert, third Lord Sempill, and by her he had two sons and two daughters. He was appointed Director of Chancery on 3rd October, 1544, and in the year 1548, when he was Provost of Edinburgh and Captain of the Castle, he was slain in attempting to quell a riot between the citizens of Edinburgh and the French auxiliaries. With him fell the said James, his eldest son, who left one daughter, Barbara, by his marriage with Margaret Tours.

John Hamilton (the second son of James Hamilton's marriage with Margaret Mowat) is the next recorded proprietor. He married Joane or Joneta, second daughter of Sir David Hamilton of Preston. He was a faithful adherent of Queen Mary for whom he fought at the Battle of Langside, for which his lands were forfeited, for a time, by the Regent Moray. In 1576 he resigned his lands to his son James, reserving his own liferent.<sup>5</sup> So far as known, he left four of a family—James, his heir; John; Jean, who married Gilbert, son of Thomas Inglis of Murdieston; and a daughter, Abigail.

The next James Hamilton had a Crown charter of Stonehouse and Broughton on 16th February, 1578. He married Elizabeth Hamilton by whom he had James, his heir; Robert, styled "of Tweedie;" and a daughter, who married Mungo Lockhart of Cleghorn.

James Hamilton, the next Laird, married Agnes, daughter of Sir James Maxwell of Calderwood, and died before 1624 survived by his wife, who married about that time Cuthbert Hamilton of Candor. He

died of a surfeit of fruit in 1456, married Janet, the daughter of Sir John Mowat of Stonehouse and Broughton, and this title may have been the result of a family arrangement. John, second Lord Somerville, was served heir to his father in 1459 (*Origines*, i. p. 201).

<sup>1</sup> R.M.S. 1513-46, No. 142.

<sup>2</sup> *Scots Peerage*, vii. p. 547.

<sup>3</sup> R.M.S. 1513-46, No. 2960.

<sup>4</sup> She was divorced by James Hamilton about 1545 because she became the mistress of John Hamilton, the natural son of James, first Earl of Arran, Abbot of Paisley, and afterwards Archbishop of St. Andrews. With the Archbishop she lived openly in Edinburgh, and she was ordered by the Town Council on 26th November, 1561, to remove from the town. She died in October, 1575, and in the confirmation of her testament she is styled "ane honourable Lady, Gryssell Sympill, Lady Stanehous."

<sup>5</sup> R.M.S. 1546-80, No. 2838.



left a son James, who was in minority, and was not served as heir until 3rd June, 1635.<sup>1</sup>

At the weaponshaw in 1627 James Hamilton, like his neighbour John Haldane, was not present, but seven of his men were there "horsit all, with lances and swords." In 1636 he conveyed his lands of Broughton to Sir David Murray of Stanhope and his son John,<sup>2</sup> the deed being granted with consent of William Baillie of Foulshiels, and of his own interdictors.<sup>3</sup>

#### MURRAY OF STANHOPE AND BROUGHTON

The Murrays of Stanhope (of which family an account is given in the chapter on Drumelzier) thus became the proprietors of the whole barony, including the superiority<sup>4</sup> of such parts of the barony as had been feued. In 1643 George Haldane in Broughton Green, one of the sub-vassals, conveyed to Sir David Murray, his superior, the property which he held, described as the 20s. land commonly called the Green,<sup>5</sup> and two nobles of land within the Mains of the barony. In 1645 Sir David Murray and William, his son, had a Crown charter of Langlawhill (p. 262), two-fourths of the kirklands of Broughton Shiels (p. 263), and other lands, on the resignation of Matthew Brisbane and William Clark, the former proprietors.<sup>6</sup>

Sir David Murray was a Royalist, and joined Montrose when he raised the King's Standard in Scotland. He was succeeded by his son William, who was served as heir to his father and also to his deceased brother John in 1654.<sup>7</sup> William Murray acquired in 1664 from Sir Michael Naesmyth of Posso the lands of Over and Nether Stirkfield,

<sup>1</sup> *Retours*, No. 102. In 1629 there is a record of a tack between James Hamilton of Stenhouse and James Cockburn of the farm of Claverhill (now Cloverhill), a six merk land.

<sup>2</sup> Broughton Writs.

<sup>3</sup> Baillie was probably a creditor: the fact that Hamilton had interdictors may point to his being facile or *incapax*.

<sup>4</sup> How much of the barony was in possession of sub-vassals it is impossible to say, but it is likely that the half which belonged to the Mowats and afterwards to the Hamiltons was all feued out, as these proprietors did not reside at Broughton. The Haldanes, on the other hand, had their dwelling-house at Broughton called Littlehope, and they probably held the greater part of their share in their own hands. Burnetland, Broughton Green, Langlawhill and Stirkfield were portions of the barony that were held by vassals, and these will be referred to. Duddingflat or the Know was also so held, the vassals at this time being a branch of the Hunters of Polmood (*Retours*, No. 213). There is no further reference to it, but it must have been acquired later by the Murrays or their successors.

<sup>5</sup> This doubtless corresponds to the present farm of Broughton Green adjoining the village on the south-east.

<sup>6</sup> Renwick: *Historical Notes*, p. 208; Broughton Writs.

<sup>7</sup> *Retours* No. 135; Family Records.



with the pendicle thereof called Clashieford <sup>1</sup> (p. 266). He also acquired one-half of the lands of Burnetland, which adjoins Langlawhill on the south (p. 267). When this acquisition was made has not been ascertained, but there is no doubt about the fact, as he included that portion among his other properties dealt with in the marriage contract, dated 16th April, 1664, between his son David and Lady Anne Bruce, daughter of Alexander, Earl of Kincardine. Burnetland, a £4 10s. land, was another part of the barony which had been feued in early times.

In 1671 William Murray (then Sir William Murray, Baronet) on his own resignation received a Crown charter of all the Broughton lands, in which charter they were of new erected into a barony to be called the barony of Broughton, the manor place of Littlehope, commonly called Broughton, to be the principal messuage. The tenure was changed from ward to taxed ward, the sum of £200 being fixed for ward and non-entry, the same for relief, and 1000 merks for marriage. The feu-duty was 1d. Scots, and permission was given to hold a fair yearly on 22nd September.<sup>2</sup>

The lands thus acquired, which included the whole parish with the exception of one-half of Burnetland and one-fourth of Broughton Shiels, remained with the Murrays until 1719. Three years before that, Alexander Murray had a tack of the teinds of the parish from John, Earl of Wigtown, who was patron of Stobo, Drumelzier, Dawyck, and Broughton, for three periods of nineteen years each, and for an annual payment of £200.<sup>3</sup>

#### JOHN DOUGLAS OF BROUGHTON

In 1719 Alexander Murray sold the whole property to John Douglas (brother of William, first Earl of March), between whom and his brother, James Douglas of Stow, there was a mutual entail whereby Broughton and Stow were destined to the survivor and his heirs, whom failing the heirs of their late brother, the Earl of March. James Douglas of Stow died unmarried before 1732. John Douglas of Broughton, who was M.P. for Peeblesshire in 1722 and 1727, also died unmarried prior to 1734. In terms of the destination clause in the entail, William, second Earl of March, succeeded both to Broughton

<sup>1</sup> Clashieford was where the Broughton burn crossed the highroad.

<sup>2</sup> This date " may denote that the chapel was under the invocation of Saint Maurice and his companion in martyrdom, or of Saint Llôlan, the bishop, whose festivals were kept by the ancient Scottish Church on that day " (*Origines*, i. p. 201). The burial vault in the churchyard, the remains of which are still in existence, was called Saint Maurice's cell.

<sup>3</sup> After the Reformation the patronage of the Stobo group of parishes, which included Broughton, was bestowed on Sir John Maitland of Thirlstane. His son conveyed it to the Earl of Wigtown in 1621. " Remaining long with the Wigtown family, the patronage latterly came into the possession of the Earls of Wemyss and March " (Renwick : *Historical Notes*, p. 215).

and Stow, but John Douglas had died so deeply involved in debt that the Earl of March, in order to safeguard his own possessions, applied to the Court for a warrant to sell for the benefit of the creditors.

This process was instituted in 1734, and the petitioners were the Earl of March, who was a minor at the time, and Charles, Duke of Queensberry and Dover, his tutor in law. Among those called for their interest as creditors were:—Isabella, Mary, and Jean Douglas, the Earl's sisters; John Horsburgh of that ilk; John Borthwick, late of Stow (then of Trottenshaw); John and Patrick Murray, sons of the deceased Sir David Murray of Stanhope; Margaret Murray, daughter of Sir David Murray, and her husband, Mr. Thomas Hay, advocate. The debts due by John Douglas are not separately stated in the proceedings, but they, along with the debts due by the Earl's father, reached the large figure of £205,827 16s. 8d. Scots, on which the annual interest was £10,291 7s. 8d. The rental of Broughton is given at £4332 8s. 4d. Scots, made up thus:—£74 of house rents, £3817 10s. 8d. of rents from land paid in money (including a feu-duty of £13 6s. 8d. from the other half of Burnetland), rents paid in produces, etc., 12 bolls of bear and 48 of meal at £6 5s. per boll, 12 capons at 12s., 62 hens at 6s. 8d. and 7s., and 57 carriages at 13s. 4d.

It may be of interest to show how the selling price was calculated. On the depositions of James Naesmyth of Earlshaugh and John Sibbald of Burnetland, the property was held to be worth 22 years' purchase of the free rental "in respect there is a good mansion house." The free rental was ascertained by deducting one-fifth in respect of teinds (£866 9s. 8d.) and the feu-duty of £2 16s. 10d. paid for Broughton Shiels. There remained £3463 1s. 10d., which at 22 years resulted in £76,188 os. 4d. But, as we have seen, there was a tack of the teinds at a rental of £200; the minister's stipend was £408 11s. 4d. in money and 13 bolls victual at £6 5s., a total of £489 16s. 4d.; and the schoolmaster's salary was £40. These payments amounted yearly to £729 16s. 4d., whereas the teind rental as above was £866 9s. 8d., and accordingly there was a balance of free teind left of £136 13s. 4d., which in view of the length of the tack was calculated at 15 years' purchase, or £2050. This sum added to £76,188 os. 4d. fixed the selling price at £78,238 os. 4d. At that price Broughton was exposed for sale and sold—there was only one offerer—to William Veitch, W.S., acting on behalf of John Murray, second son of Sir David Murray of Stanhope (by his second marriage), and as he was a minor he was represented in the decree which followed by his curators—Lady Margaret Scott, his mother; Sir John Scott of Ancrum, Baronet; Alexander Muirhead of Lenhouse; and James Erskine.<sup>1</sup>

#### JOHN MURRAY OF BROUGHTON

John Murray of Broughton, the new proprietor, is a tragic figure in history, and this is not the place to recount the part he played, as

<sup>1</sup> Broughton Writs.

secretary to Prince Charlie, during the '45—that was all good, for he loved his Prince, and so did his beautiful wife, Margaret Ferguson (niece of William Ferguson of Cailloch in Nithsdale), who sat on horseback at the Cross of Edinburgh, cockade in her hat and drawn sword in her hand, welcoming recruits—or the part he played after Culloden, as informer, which brought Lord Lovat and others to the scaffold—that was not good. “Mr. Secretary Murray,” whom the Prince looked on as “ane of the honestest, firmest men in the whole world,” was his title before his capture at Polmood in the house of his sister Veronica, wife of Robert Hunter. “Mr. Evidence Murray” was the shameful title subsequently bestowed, and it embittered the rest of his life, for he had to endure the whip lash of scorn. “I once knew a person who bore the designation of Murray of Broughton,” said Sir John Douglas of Kelhead before the Privy Council, “but that was a gentleman and a man of honour, and one that could hold up his head.” Perhaps this may be said. Murray was a sick man at the time of his capture, and flesh is weak; but he remained a Jacobite to the end.

Apart from the decree of the Court in 1736, there was no formal title to the lands till 1750, when William, third Earl of March, having served himself heir to John Douglas under the mutual entail of 1725, granted a conveyance to John Murray, who continued in possession till 1764, when he sold the property to James Dickson (afterwards of Ednam), a merchant in London. The price was £16,000 stg., but of that £4075 was to be paid within six months after the death of John Murray's wife, Margaret Ferguson.

#### DICKSON OF BROUGHTON

This proprietor in 1765 purchased the remaining quarter of Broughton Shiels (p. 266) from John Porteous for £442 stg.,<sup>1</sup> with the right to ten souns on the common, the pasturage of a mare and foal, and a brood sow, and the right of digging and winning peats and turf. Two years later he took proceedings to have the teinds valued, and obtained in August, 1767, a decree of valuation against the Hon. Mrs. Clementina Fleming, wife of the Hon. Charles Elphinstone, and against Mr. Andrew Plummer, the minister of the parish, for his interest. The yearly value of the lands was fixed at 24 bolls of meal, 12 bolls of bear, and £465 15s. 11½d. stg., the fifth part whereof being the teind rental was 4 bolls, 3 firloths and 4½ pecks of meal, 2 bolls, 1 firloth, 2½ pecks bear, and £93 13s. 2½d. stg. This decree shows how the lands were let and occupied at that time.

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<sup>1</sup> Porteous remained on as tenant for a year or two, and then in 1768 Broughton Shiels and Stirkfield were thrown into one farm and let to Simon Linton, then in Blendewing. He was succeeded by his son Robert, the last baron bailie of Broughton, whose great-grandson, Mr. George Deans Ritchie, is now the proprietor of these farms. Another descendant is James Linton of Codemuir.

# BROUGHTON, KILBUCHO, GLENHOLM 257

<i>Place.</i>	<i>Tenant.</i>	<i>Rent.</i>
Town of Broughton	John Sanderson, John Paterson and James Noble <sup>1</sup>	£77 0 0
Cloverhill and part of Broughton Shiels	James Person and Alexander Carrick	66 13 4
Mill of Broughton	William Brown	26 bolls meal
$\frac{1}{2}$ Burnetland	James Deans	£13 11 8
Langlawhill	John Plenderleith	16 13 4, 24 bolls meal, 12 bolls bear
Know and Deandyke	Archibald Brown	£22 4 5 $\frac{1}{2}$ , 12 kain hens at $\frac{1}{4}$ merk each, and 12 carriages at 10 shillings
Stirkfield	Simon Linton	£46, and one wedder at £4 Scots
Upper and Nether Mains	Thomas Sibbald	£50 0 0
(These farms had formerly been let—the Upper Mains to David Tweedie for £50, and the Nether Mains to John Alexander, Robert Frizel and John Sanderson for £100. About 1760 John Murray took them into his own possession and divided the arable land with dykes and ditches; he also al- tered the course of Broughton burn to prevent the flooding of the meadows, and along with Mr. Dick- son of Kilbucho made a new course for Big- gar Water between the Dreva and Skirling marches.)	Robert T. Smith William Laidlaw James Porteous William Moffat (including house, shop and garden) James Lawson George Bertram John Hope John Hodge Robert Simpson (including Upper Mains parks and policy) James Paterson and Alex. Carrick (for sheep ground) Thos. Hope	7 5 0 14 2 6 74 12 6 5 8 3 11 9 6 4 18 3 6 4 9 4 15 0 50 0 0 60 0 0 4 0 0

<sup>1</sup> This James Noble would doubtless be a relative of John Noble, "Tenent in Broughtoun," whose tombstone is in Stobo churchyard. It is a curious stone, depicting the deceased in the wide-skirted coat of his time, carrying a gun and wearing a crown of glory. There were Nobles in Broughton (tenants of Ratchill) till the latter half of the nineteenth century.



<i>Place.</i>	<i>Tenant.</i>	<i>Rent.</i>
Broughton Shiels (Porteous's part)	John Porteous	£10 0 0
Rottenraw <sup>1</sup>	John Brown	2 10 0
House and shop	Wm. Bertram	1 13 4
House	George Clark	0 11 8
4 houses	Jean Tweedie, Archd. Jackson, And. Veitch and Richard M'Quhat	10s. each
House and smithy	Robt. T. Smith	£2 0 0

James Dickson considerably improved the property, and in 1768 he raised an action to determine the proper division of the lands of Burnetland, one-half of which belonged to him and the other half to Patrick Sibbald, wright in Edinburgh, and his sister Jean, wife of Mr. James Lorimer, minister of Yarrow. Hitherto the arable lands had been tilled on the "runrig" or "rundale" system, and the pasture ground was used in common. The following witnesses were appointed "for making trial of the quality of the ground":—Robert Welsh of Mossfennan; Alexander Welsh, tenant in Stanhope; Walter Simpson, tenant in Easter Dawyck; and William Laidlaw, tenant in Nether Horsburgh. Thereafter Alexander Murray of Cringletie, Sheriff-Depute, decreed that part on the east, extending to 63.22 acres, to belong to the Sibbalds, and the remainder, extending to 121.69 acres, to belong to James Dickson. This laird, according to Armstrong, was

"a gentleman whose memory must be ever dear to the sons of Tweed, and although no living monument has yet been raised to perpetuate his munificence and public spirit, he will always be remembered as the patron of every polite and liberal art."

He died about 1772, in which year his nephew, Captain William Dickson, was served as his heir. In 1773 Broughton House, the old name of which was Littlehope, was burned through the negligence of one of the servants, and was not rebuilt. It stood a short distance further up the glen than the present farmhouse of Broughton Place, which was built from its ruins. The old avenue of trees is still there.

Armstrong, who wrote in 1775, has little to tell us about the parish, save that it contained 4660 acres and 274 inhabitants, and that the village of Broughton was a "regular and well-built hamlet . . . with a good public-house."

In 1774 Broughton was exposed by Captain Dickson to public sale within the Exchange Coffee House in Edinburgh, and purchased for £14,200 stg. by Robert McQueen, advocate.

Robert McQueen of Braxfield, Lanarkshire, was a son of John McQueen, a cadet of the Corrybrough family, and his wife Helen a

<sup>1</sup> This apparently was a small piece of ground adjoining the churchyard, now known as Kirkbank.



daughter of John Hamilton of Gilkerscleugh. After a distinguished career at the Bar, to which he was called in 1744, he accepted with reluctance a judgeship in 1774, and as Lord Braxfield dominated the bench with his rough caustic wit, his profound knowledge of law and his broad Scots tongue, till his death in 1799. That is all that need be said here, for his career is well known. Lord Cockburn sought to make his memory infamous by undeserved strictures on his behaviour as a judge; he has only succeeded in making it immortal, and the inspiration of Stevenson's wonderful unfinished story, *Weir of Hermiston*.<sup>1</sup>

## MCQUEEN OF BRAXFIELD AND BROUGHTON



Arms: Three wolves heads, couped, sable.

During Lord Braxfield's ownership the first *Statistical Account* of the parish appeared in 1793, written by Mr. Thomas Gray, the minister. He tells us that the village had been rebuilt by the late James Dickson after the English fashion, and was "remarked by passengers for its neatness"; that the population of the parish in 1755 was 367, and was then 264; that there were twenty dwelling-houses in the village, and twelve farmers in the parish, four weavers, one tailor, one smith, one miller, two shoemakers, and three shopkeepers. We are also informed that there are the remains of ten castles.

"In the under story they had a wooden door of uncommon thickness, full of iron spikes with broad heads, and a strong iron gate that opened in the inside: one of these doors and gates was preserved in the parish for a long time as a piece of antiquity, and has been seen by several now living."

<sup>1</sup> See William Roughead's articles in the *Judicial Review*—*The Real Braxfield* (May, 1914), reprinted in *The Riddle of the Ruthvens* (1919); and *The Bi-Centenary of Lord Braxfield* (1922).

And then he says that one of these castles was occupied by the great Macbeth, (which is nonsense), and that it is still called Macbeth's Castle. Of this castle, which stood above the village, there are now no ruins in existence. It may be that the name is a corruption of Malbeth, whose son Simon was Sheriff of Traquair in 1184,<sup>1</sup> and if that were so, Malbeth may have been the owner of the lands before Ralf le Neym. Where the other castles or towers were is not specified. Blaeu's map shows four towers—at Broughton Shiels, Cloverhill, Littlehope, and Burnetland—and two others unnamed, one apparently Macbeth's Castle and the other below Cloverhill.

Lord Braxfield purchased in 1783 for £525 the other half of Burnetland (p. 272), and thereby became proprietor of the whole parish. He was twice married. By his first wife, Mary, a niece of Sir Andrew Agnew of Lochnaw, the last hereditary Sheriff of Galloway, he had two sons and two daughters; by his second marriage with Elizabeth, a daughter of Robert Ord, Lord Chief Baron of Exchequer, he had no children. In 1788 he entailed Broughton to his eldest son, Robert Dundas McQueen, and his heirs, whom failing to John McQueen, his second son, and his heirs, whom failing to his daughter Mary and her heirs, whom failing to his daughter Katherine. Under this destination Robert Dundas McQueen succeeded in 1799. He was bred to the Bar, but never practised; he married Lady Lilius Montgomerie, daughter of the twelfth Earl of Eglinton, and died without issue on 5th August, 1816.

In 1803 proceedings were taken to have the teinds of Burnetland valued. The previous valuation in 1767 did not apply to the whole of the lands, as James Dickson at that time was only owner of one-half. The action was laid against the titulars of the teinds, John, Lord Elphinstone, and his brother, Charles Elphinstone Fleming, and also against Mr. Thomas Gray, the minister of the parish. On the depositions of James Wilson,<sup>2</sup> tenant in Burnetland, and Robert Linton, tenant in Stirkfield, who was the baron bailie on the Broughton estate, the rent of Burnetland was declared to be £20 and three bolls of oatmeal, one-fifth of which for teind was £4, and two firlots, one peck, two and one-fifth lippies of oatmeal.

<sup>1</sup> *Origines*, i. p. 220. There is also a Macbeth's Castle in Manor (p. 548).

<sup>2</sup> His tenancy began in 1783, the year when Lord Braxfield became proprietor of the whole lands, and it included the West farm, which lay on the north side of the road between the present Burnetland steading and Langlawhill. Before that he was in Skirling. The lease is in the form of a letter from Lord Braxfield, dated 21st March, 1783, from Rachan, and begins simply, "James, I hereby offer to sett to you, etc." The combined rent of Burnetland and the West farm was £57 15s., 3 bolls of meal to the minister, and 12 good hens to the laird, or 1s. for each. There were Wilsons in Burnetland till the close of the nineteenth century. The late Sir James Wilson, K.C.I.E., J.P., of Annieslea, Crieff, was a great-great-grandson of the first tenant.

The second *Statistical Account*, which dealt with the combined parish, was compiled by the Rev. Hamilton Paul in 1834. The information he gives specially applicable to Broughton may be shortly stated. There were 100 inhabitants in the village, and they had varied very little in number for the last fifty years. The fair was still held on 3rd October. Formerly a cattle market and distinguished by horse and foot races, the fair was then principally used for the purpose of hiring servants, paying accounts, and fixing the prices of butter and cheese: the stalls were erected in the village street. There was then an inn<sup>1</sup> in the village, and had been for many years. It was "a commodious house, with a court of offices in good repair," and formed a convenient stage between Edinburgh and Moffat. The village had also a small alehouse. The mail coach from Edinburgh passed through the village at one o'clock in the morning, and the coach from Moffat about midday. The population of Broughton was then about 300.<sup>2</sup>

Robert Dundas McQueen was succeeded by his brother John, who was a Captain in the 18th Regiment of Foot. He was twice married—to Anne, daughter of Thomas Macan of Cariff (Armagh), and to Margaret Wilson—and died in 1837, succeeded by Robert, his eldest son by his first wife.

Robert McQueen, who was born in 1789, was a Captain in the 25th Light Dragoons. In 1819 he married Zepherina, daughter of Henry Veitch of Elliock: she died in 1863, and the following year he married Elizabeth Anne, daughter of Hugh Veitch of Stewartfield, and widow of George Ogilvie, M.P. He died without issue on 3rd February, 1867, succeeded by his nephew, Arthur James McQueen, son of his brother, Thomas Richard McQueen.

Arthur James McQueen died without issue in 1879 in his 44th year, and was succeeded by his sister, Charlotte Anne, who married in 1872 Alexander Brodie Mackintosh. She also died childless in 1885, and her cousin, John Rainier McQueen, inherited.

John Rainier McQueen was a son of General James McQueen (a younger brother of the above-mentioned Robert and Thomas Richard McQueen), who married Elizabeth, daughter of Admiral Rainier of Chailey House, Sussex, and died in India in 1883. He likewise died without issue in 1912, and with him the male line from Lord Braxfield came to an end.

Under the entail the lands passed to Elizabeth Wester Georgina Marie Ord Bearcroft, wife of Robert Charles Dighton Wilson, late Captain 60th Rifle Regiment, of Redbrooke Lodge, Whitchurch, Shropshire. Mrs. Wilson, who was the great-granddaughter of Mary McQueen, who married Sir William Honeyman of Graemsay, a Lord of Session, assumed the name of McQueen, and in 1913 disentailed the lands.

<sup>1</sup> This is now the farmhouse of Broughton Green farm. It was modernised some years ago.

<sup>2</sup> See for further information *Annals of a Tweeddale Parish*, by Rev. Andrew Baird (John Smith & Son, 1924).

## THE PRESENT PROPRIETORS

In 1921 and 1922 the whole of the Broughton lands were sold, the farms being purchased by the tenants. The houses in the village were also sold. The proprietors of the various lands and farms now are :—

Stirkfield and Broughton Shiels (rent £280 2s. 7d.),  
George Deans Ritchie, Chapelgill.

Broughton Knowe (£139 11s. 7d.), the same.

Cloverhill and Kirkbank (£230 3s. 4d.), Alexander C. Gairns, farmer.

Broughton Place (£215 19s. 7d.), John Tudhope, farmer,  
and his son Daniel Tudhope, solicitor.

Broughton Green and Ratchill (£200 10s. 2d.), John,  
James and Ebenezer B. Masterton, farmers.

Burnetland and West farm (£181 6s. 6d.), the same.

Corstane and Bridge farm, John L. Dickson, farmer.

Langlawhill (£75), Thomas Baxter, farmer.

To-day the population of the village is only between thirty and forty. The mill on the banks of the burn has been disused for the past thirty years, and is falling into ruins. There is no inn now. It was given up sixty years ago, and the annual fair was a thing of the past by the middle of last century. There is still a shop, but there are no weavers, shoemaker or tailor in the village now, and the smithy is gone. In its place are two well-built and well-designed dwelling-houses of the modern type.<sup>1</sup> The old footbridge across the burn has been recently replaced by a substantial stone bridge.<sup>2</sup> Many of the houses have been repaired, and the village now is a comfortable, beautiful little place, and still has its old-world air.

## LANGLAWHILL

(PART OF BARONY OF BROUGHTON)

Langlawhill, a 40s. land, is a high-lying farm in the parish adjoining the drove road between Broughton and Skirling,

<sup>1</sup> Built by Mr. James Grieve, who has old connections with the district.

<sup>2</sup> Also erected by Mr. Grieve.



and was in early times held in feu from the Mowats as proprietors of half of the barony. The earliest recorded subvassal is John Inglis, who in 1482 and 1484 was a witness to charters at Edinburgh and Dalkeith,<sup>1</sup> and his descendants held the lands for many years. William Inglis is referred to in 1506-7 in the charter to Alexander Mowat (p. 251). In 1556 William Inglis, son and heir of John Inglis, who died in 1548, was infeft in the lands on a Crown precept.<sup>2</sup> In the following year, under the designation "of Hangitshaw," he granted Langlawhill in liferent to his promised wife, Agnes Hoppringle, the charter being dated at Gala-shiels.<sup>3</sup> At this time the tenants of the lands were Matthew and William Hunter, one or other of whom was the proprietor of the adjoining property of Duddingflat (p. 248). At the weaponshaw in 1627 the "Laird of Lanlawhill" was present, "weil horsit, with three horsemen with swords and lances." His name is not given, but he had a brother, William Inglis, who is referred to in that year as a witness to a deed.<sup>4</sup> In 1633 Alexander Wright, merchant burgess of Edinburgh, apprised Hangingshaw (Selkirkshire) from Adam and Malcolm Inglis of Langlawhill. Adam was the grandfather of Malcolm, and on his death Malcolm was served as his heir in 1636. Two years afterwards (1638) Langlawhill was apprised from Malcolm Inglis, and passed to Michael Scott in Stanhope, who assigned his rights to Matthew Brisbane, writer, Edinburgh. He resigned the property, which was held blench for payment of 1d., to Sir David Murray (p. 253).

#### KIRKLANDS OF BROUGHTON SHIELS

Broughton Shiels lies between Stirkfield and Cloverhill, and represents the half ploughgate granted by Ralf le Neym, which was held as part of the vicarage of Stobo for behoof of the chapel of Broughton. It was not part of the barony, but it carried pasturage rights in the common, the site of which was either in the vicinity of Cloverhill or along the drove road above the village. This church property was

<sup>1</sup> *Hartree Papers.*

<sup>2</sup> *Peebles Protocols.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Part. Reg. Sas.*



feued out at the time of the Reformation in four portions (lying runrig) to Ninian Elphinstone, William Ramage, John Jamieson and John Paterson. The grant to Elphinstone is not on record, but the other three took infeftment on 30th June, 1560, and to this Elphinstone was a witness. The charters were granted on 28th February, 1559-60, by Sir Ninian Douglas, vicar of Stobo, with consent of James, Archbishop of Glasgow, and also of Robert Douglas, the vicar's successor; and the feu-duty was 35s. for each fourth, or intended to be, for the same figure does not appear in the deeds of transmission. To these charters the Archbishop's signature was not obtained at the time, and on 1st November, 1561, Sir Ninian promised to obtain that signature within a hundred days after the Archbishop's return from abroad.<sup>1</sup> Two years later he acknowledged receipt of £20 of feu-duty from these three feuars.<sup>2</sup>

#### ELPHINSTONE'S ONE-FOURTH AND RAMAGE'S ONE-FOURTH

Elphinstone's one-fourth became the property of John Tweedie, tutor of Drumelzier, who had a charter in 1580 of the vicarage lands of Stobo (including one-fourth of Broughton Shiels occupied by Elphinstone), with eight souns of sheep, but reserving to the readers or exhorters in the churches four acres from each church land and one acre of Broughton Shiels. The feu-duty of this fourth part was 18s. 8d.<sup>3</sup>

Ramage's one-fourth was conveyed to his brother Robert in 1576, the witnesses to the deed being John and Adam Haldane and Robert Paterson, all in Broughton Shiels, and John Paterson, portioner there.<sup>4</sup> Later it was acquired by John Tweedie, but the link has not been traced.

These two-fourths passed from John Tweedie to his daughter Marion, who had a Crown charter in 1606,<sup>5</sup> in which the feu-duties are given more fully—for one-fourth 37s. 4d., with two carriages to the Quarter Chapel, and for

<sup>1</sup> *Peebles Protocols*.

<sup>2</sup> *Ibid.*

<sup>3</sup> *R.M.S.* 1580-1593, No. 383.

<sup>4</sup> *Protocols Reg. Ho.*

<sup>5</sup> *R.M.S.* No. 1706.

the other, 18s. 8d., with three carriages. Marion, with consent of her husband, James Law, writer, Edinburgh, conveyed these shares in 1631 to Gilbert Clark in Skirling and his wife Margaret Brown,<sup>1</sup> from whom they passed to their son William in 1637.<sup>2</sup> He resigned them to Sir David Murray (p. 253).

## JAMIESON'S ONE-FOURTH

John Jamieson was succeeded by his son William, who was infeft in 1618 on a precept of *clare constat* from Mr. Alexander Greig, minister of Drumelzier.<sup>3</sup> After that it became the property of John Haldane, and passed with his share of the barony to Sir David Murray of Stanhope in 1636 (p. 253).

## PATERSON'S ONE-FOURTH

John Paterson had a son, William, who was infeft as heir in 1581 on a precept from Robert Douglas, vicar of Stobo.<sup>4</sup> In 1595, along with his mother, Helen Hunter, he granted a liferent of one-third of his fourth to his promised wife, Janet Penman, daughter of John Penman at Kiln of Edmestoun.<sup>5</sup> Of this marriage with Janet Penman there were one son, John, and two daughters, Elizabeth and Agnes. The son, John, was present at the weaponshaw in 1627, "well horsed, with lance and sword." He was succeeded prior to 1650 by his two sisters. Agnes was then the widow of John Mossman in Baitlaw, and she on 25th February, 1650, conveyed her share to her sister Elizabeth, who in 1629 had married Andrew Porteous, son of the deceased John Porteous in Townhead of Skirling. Elizabeth was succeeded by her nephew, John Porteous, who had sasine in 1669 on a charter from Mr. Richard Brown, minister of Drumelzier and vicar of Stobo. From him the property passed through his son Andrew to the latter's son John Porteous, who had a precept of *clare constat* in 1756 from Mr. William Wallace, minister of Drumelzier and vicar of

<sup>1</sup> *Ibid.* 1629-33, No. 1897.

<sup>2</sup> *Retours*, No. 107.

<sup>3</sup> *Part. Reg. Sas.*

<sup>4</sup> *Protocols Reg. Ho.*

<sup>5</sup> *Ibid.*

Stobo.<sup>1</sup> In 1765 John Porteous sold his share to James Dickson of Broughton for £442 (p. 256).

#### STIRKFIELD

The lands of Over and Nether Stirkfield may originally have been part of the barony, but they became a separate property held direct of the Crown. The earliest recorded proprietors of this property—a £5 land—were the Elphinstones, who were probably related to the Elphinstones of Henderstoun<sup>2</sup> in the parish of Peebles. John Elphinstone, son and heir of John Elphinstone of Stirkfield, had a charter from King James IV. on 5th April, 1510, of half of Glensax. William Elphinstone, burgess of Edinburgh, who may have been a son, sold Stirkfield in 1523 (charter dated 30th August) to Robert Lindsay, burgess of Edinburgh, and his wife, Margaret Law.<sup>3</sup> On the death of Robert Lindsay, Malcolm, Lord Fleming, on 9th January, 1532-3, had a gift under the Privy Seal of the ward of Stirkfield and the marriage of James Lindsay, the son and heir.<sup>4</sup>

James Lindsay died without being infeft in the property, and was succeeded by his brother William, who had sasine on 28th October, 1551, as heir of his father, and the same day he gave sasine therein with his own hands to John Hamilton, macer, the ancestor of the Hamiltons of Coldcoat (p. 40).<sup>5</sup> This was followed by a charter to John Hamilton dated 3rd November and a Crown confirmation on 18th November, 1551.<sup>6</sup> Hamilton may have reconveyed the property to Lindsay, or he may only have held it in security of debt, for on 30th October, 1564, there is a Crown grant, proceeding on Lindsay's resignation, to Michael Naesmyth of Posso and Elizabeth Baird, his wife.<sup>7</sup> Their son Thomas succeeded, and in 1582 acquired Nether Stirkfield—a merk land, part of the vicarage lands of Stobo—by feu charter from Robert Douglas, the vicar.

<sup>1</sup> *Broughton Writs*.

<sup>2</sup> Vol. ii. p. 358.

<sup>3</sup> *R.M.S.* 1513-46, No. 238.

<sup>4</sup> *Reg. Privy Seal*.

<sup>5</sup> *Peebles Protocols*.

<sup>6</sup> *R.M.S.*

<sup>7</sup> *R.M.S.* 1546-80, No. 1560.

Nether Stirkfield, which at that time was occupied by James Haldane, carried with it twelve souns of cattle and the pasturage of one swine, one horse, one *steid-meir* and one *brod-guis*.<sup>1</sup> The feu-duty was two merks, with 2s. of augmentation. In 1588<sup>2</sup> it became the property of John Tweedie, tutor of Drumelzier, who already owned part of the adjoining property of Broughton Shiels; and there arose a feud with the Naesmyths, who alleged that the house of Stirkfield had been "douncast" by the Tweedies (p. 429). From John Tweedie Nether Stirkfield passed to his son William on 30th May, 1589,<sup>3</sup> and his daughter Marion (William's sister) was confirmed in it in 1606.<sup>4</sup> After that Nether Stirkfield was reacquired by the Naesmyths, and along with Stirkfield joined to the barony of Posso in 1618.

The property was appraised in 1654-5 from Sir Michael Naesmyth by Mr. Robert Burnet of Crimond, who conveyed it to James Naesmyth, Sir Michael's son. It was disjoined from Posso in 1664, and transferred to Sir William Murray of Stanhope (p. 253).

#### BURNETLAND

##### (PART OF BARONY OF BROUGHTON)

This was a £4 10s. land (260 acres), and lay to the west of the village of Broughton and alongside Biggar Water.

There is no doubt that it was the earliest known possession of the family of Burnet of Burnetland, afterwards of Barns, a detailed account of which is given in the chapter on the parish of Manor (p. 571). In the Roll of Battle Abbey there appears among the followers of the Conqueror the name *de Barneville* or *Burneville*, and it is supposed that he is the ancestor of the family, but of this there is no evidence. The earliest record of the name in Scotland is the charter of foundation of the Abbey of Selkirk by Earl David, afterwards King David I., to which with others *Robertus de Burnetvilla*, miles, is a witness. This charter

<sup>1</sup> R.M.S. 1580-93, No. 408.

<sup>2</sup> *Ibid.* No. 1605.

<sup>3</sup> *Protocols in Reg. Ho.*

<sup>4</sup> R.M.S. 1593-1608, No. 1706.



was granted prior to 1128. The same name, but spelt *Burneville*, according to the Norman-French of the time, appears among the list of hostages sent into England for the ransom of King William the Lion, who was captured at the battle of Alnwick in 1174. Nisbet in his *Heraldry* accepts the two names as of the same family. For almost two centuries there is no further trace, and then on 24th May, 1367, in the reign of King Robert II., Robert de Burneville and his son Robert appear as witnesses to a charter by Patrick de Dunbar, first Earl of March, to the monastery of Coldingham; and in 1390 Rodbertus or Robertus de Burneville is a witness to a charter on 5th April by King Robert III. confirming a previous charter by King David I. to the monastery of Holyrood. After that there is no further record of the family of de Burneville, and it is not till 1476 that we come on the first authentic ancestor of the Burnets—John Burnet of that ilk.

It is not unlikely that John Burnet was kin to the de Burnevilles. Nisbet and other genealogists thought he was, although, apart from the similarity of the name, there does not appear to be anything in the nature of satisfactory evidence. But there is nothing whatever to show that any de Burnetvilla or de Burneville ever held the lands of Burnetland in Broughton. Their territorial designation, which prior to the fifteenth century took the place of a surname, goes back to the beginning of the twelfth century—earlier if we accept the entry in the Roll of Battle Abbey—and was evidently taken from lands which the family had originally held in Normandy. Certainly the designation was not derived from Burnetland, for it was part of the barony of Broughton, and the proprietor was a vassal of the holder of the barony, and the barony itself was not in existence till the fourteenth century. It is, of course, possible that a de Burnetvilla purchased the lands from the Haldanes or the Mowats and gave his own designation to them. But it is not likely, and, apart from there being no records to indicate such a transaction, there is a significant fact which practically destroys that theory. All the de Burnetvillas or de Burnevilles that we know of had Robert for their Christian



name. The first Burnet of Burnetland was called John. More than that, none of the subsequent proprietors of Burnetland and Barns was called Robert. The prevailing Christian names are John and James, and we do not meet a Robert Burnet—he was a younger son of the “Hoolet”—till the latter part of the seventeenth century. Accordingly, it may be assumed that John Burnet referred to in 1476 (or his father) was the first owner of Burnetland, and that he gave his name to it.

The Christian name of John Burnet's father—he died before 1470—is not known, but he married Marion Caverhill (p. 571), and through that marriage the family acquired the lands of Barns in Manor, from which afterwards they took their designation. John Burnet was a witness in 1476 to the fixing of the boundaries of Kailzie, and in 1479 was on a jury at Peebles for the service of heirs. In 1484 he was on the inquisition at Peebles which found that the burgh was entitled to the pasturage of Cademuir. About 1493 he was on the jury for the service of Thomas Lowis in Harcus.<sup>1</sup> Further particulars of him are given elsewhere (p. 571). He was twice married, and died in 1502, succeeded by his son William. At his death he was proprietor of only one-half of Burnetland, but when the other half had been disposed of there is no record to show. From his half, his widow claimed her terce, to which she was “kenned” on 15th February, 1502-3.

William Burnet was a minor when he succeeded his father, and particulars of him will be found on p. 572. He took the designation “of Barns,” but he had also his father's share of Burnetland, and it is evidently he who is referred to in a memorial prepared about 1652 (p. 581), a fragment of which is among the Barns Papers, as having fought at the battle of Pinkie in 1547 and been wounded. He died in 1564, and as Burnetland does not afterwards appear as a possession of the Burnet family, it may be assumed that he sold it before his death.

The two halves of Burnetland, although referred to in the titles as such, were not equal. One was a 50s. land (156

<sup>1</sup> *Duns Castle Report.*

acres), and the other a 40s. (104 acres). It was probably the former which William Burnet sold.

(a) THE 50S. LAND

The Lowises of Manor (p. 555) were neighbours of the Burnets of Barns, and it may be that it was a member of that family who acquired William Burnet's share, for we find that Margaret Lowis was the proprietor prior to 1557, in which year (13th July) Andrew Forsyth was infest therein as her son and heir on a charter from the superior, John Haldane of that Ilk.<sup>1</sup> This Andrew was also in Glencotho, and the property passed from him to his son John, a writer, and his wife, Margaret Cant, who had a charter (14th December, 1575) from John Haldane, on which they were infest on 17th February, 1575-6, by William Tweedie of Wrae, acting as Haldane's bailie.<sup>2</sup> In 1592 the proprietor was Andrew Forsyth, a brother of John, and he sold the property in that year (25th June) to William Tweedie of Wrae.<sup>3</sup>

The Tweedies of Wrae are referred to on p. 294. William Tweedie was succeeded by his son William, who was served heir in 1618,<sup>4</sup> and he in turn was succeeded by his son, also William, who was served heir in 1641.<sup>5</sup> It was doubtless from this last-named William Tweedie that William Murray purchased the property (p. 253).

(b) THE 40S. LAND

John Weir was tenant of this part in 1558.<sup>6</sup> His daughter, Agnes, married in 1573 John Ferguson in Netherurd, with a tocher of £100.<sup>7</sup> William Weir, who may have been a son, was proprietor of the property in 1588, and is referred to as such in the proceedings for the service of Brown of Hartree. In 1595 he was a witness to the sasine of George Haldane of that Ilk in one-half of the barony of Broughton.<sup>8</sup> William Weir (probably a son) was

<sup>1</sup> *Peebles Protocols*.

<sup>3</sup> *Sheriff Court Books*.

<sup>5</sup> *Ibid.* No. 112.

<sup>7</sup> *Protocols Reg. Ho.*

<sup>2</sup> *Protocols Reg. Ho.*

<sup>4</sup> *Retours*, No. 51.

<sup>6</sup> *Peebles Protocols*.

<sup>8</sup> *Burgh Court Books*.

proprietor in 1618, and his brother Ninian was killed by James Tweedie, son of Mr. John Tweedie of Winkston. For this crime Tweedie received a remission for life on 3rd December, 1618.<sup>1</sup> William Weir is referred to in the Burgh Court Books in 1620, 1631 and 1636. On the last occasion he was ordained to produce his wife and son before the Sheriff for the wounding of William Graham in Whitslade. When he died the family apparently left Burnetland, and it was let to Adam Storie and afterwards to William Cockburn.

James Weir, who may have been a son of William, was proprietor in 1657. He was a baker and burgess of the Canongate, and in that year he resigned the lands, with the tower, to himself and his wife, Jean Gib. They were survived by two daughters—Helen, who married William Ross, merchant burgess of Edinburgh, and Marion, who married Alexander Schead or Shed, indweller in Leith. Helen sold her share to Shed on 17th August, 1677. He fell in debt to Mr. John Sibbald, writer in Edinburgh, factor to Lord Northesk, and, with consent of his son John, disposed the property to him on 21st February, 1680, under reservation of the liferent of Jean Gib. This was fortified by a conveyance from Helen Weir.

From Sibbald the property passed in 1686 to his wife, Jean Johnston, and their son John, who was also a writer in Edinburgh. In 1729 he made over Burnetland to his second son, John, also a writer, reserving the liferents of himself and his wife, Agnes Gairdine. This John had an elder brother, Patrick, a wright in Edinburgh, and a sister, Jean, who in 1750 was the wife of Mr. Stephen Paton, minister of Newlands, and after his death married Mr. James Lorimer, minister of Yarrow, and laird of Craigieburn, whom also she survived. To her, John was under obligation by his father's settlement in 1739 to pay 2000 merks, and as it had not been paid and he was on the eve of going abroad, he disposed the lands to her on 9th February, 1750, under burden of payment of £100 stg. to his brother Patrick. In 1768 she appeared along with Patrick in the action brought

<sup>1</sup> R.M.S.

by James Dickson to divide the commonity of Burnetland (p. 258), and in 1779 she transferred the lands to Patrick's four daughters—Agnes (who married John Grindlay, tanner at the West Port of Edinburgh); Jean; Janet (who married John Ritchie, slater, Edinburgh); and Elizabeth. From them Lord Braxfield purchased the property in 1783 for £525 (p. 260).

## GLENHOLM

### I

This old parish is bounded partly by Biggar Water and partly by the Tweed, and includes the valley of the Holms Water.

### THE BARONY OF GLENHOLM

The earliest record we have of Glenholm is about 1200, when "Gillecrist, the son of Daniel at Glenwhym," appears as a witness to the perambulation of the marches of Stobo.<sup>1</sup> The lands were rated at £30 of old extent, and for a time their name was the surname of the family who were in possession. About the year 1233 Sir Nicholas "Glenynwim," who was rector in the church at Yetholm, was a witness to charters of the lands of Stobo.<sup>2</sup> Stephen of "Glynwhym" was appointed in 1293 by King Edward I. of England to be guardian of Macduf, the son of Malcolm, sometime Earl of Fife, pending that Earl's memorable appeal from the Court of King John Balliol and his barons to the justice of the Overlord of Scotland.<sup>3</sup> "Estuene de Glenwhym" of the county of Peebles signed the Ragman Roll in 1296,<sup>4</sup> and he appears a few years afterwards as a witness to charters by Sir Simon Fraser dealing with the lands of Kingledoors, Hopcarton and Happrew.<sup>5</sup> Later, in 1451, there was "Robert of Glenquhym,"<sup>6</sup> who had a grant of the lands of Wrae, and in 1466 "Dene James Glenquham," who was a monk of Kelso.<sup>7</sup>

<sup>1</sup> *Regist. Glasg.* p. 89.

<sup>2</sup> *Ibid.* pp. 111, 142.

<sup>3</sup> *Rotuli Scotiae*, i. p. 18; *Origines*, i. p. 181.

<sup>4</sup> *Bain's Cal.* ii. p. 207.

<sup>5</sup> *Lib. de Melros*, p. 319.

<sup>6</sup> *R.M.S.* 1424-1513, No. 481.

<sup>7</sup> *Lib. de Calchou.* p. 424.



To what extent, with the exception of Robert, these members of the family of Glenholm held lands in the parish, there is no record to show, but it seems probable that such title as they had would be that of a sub-vassal. It is not unlikely that the barony was an early possession of the Fraser family, who were by far the largest proprietors of land in the county during the twelfth and thirteenth centuries.<sup>1</sup> In the year 1272 John Fraser of "Glenwym," clerk of the diocese of Glasgow, granted to the Augustinian canons of Scone the advowson of the church of St. Cuthbert at Glenholm, which he stated belonged to him of hereditary right.<sup>2</sup> He was probably related to the Frasers of Oliver Castle, but the early history of that family is confused and fragmentary, and the connection has not been traced. Nothing more is known of this John Fraser, and nothing at all of his descendants, but it would appear that his family retained their rights as lords of the barony till the first half of the fifteenth century, for when a new owner of the barony then appears he gets his grant from a Fraser. On 22nd December, 1439, William Fresal (Fraser), Lord of Uvertoun, in return for "manifold counsel and assistance rendered," granted to James of Douglas, Lord of Avondale, the barony of Glenholm, with the right of patronage of the church and the superiority of the barony and services of the free tenants thereof. The reference there to the superiority shows that part of the barony, if not the whole of it, had been feued to sub-vassals, a fact which makes the task of tracing the early proprietors very difficult and often impossible.

James of Douglas was seventh Earl of the great House of Douglas, and is well enough known in history as a man of violent and impetuous temperament. He murdered Sir David Fleming of Cumbernauld and Biggar in 1406, and the year before he burned the town of Berwick, perhaps a patriotic, but undoubtedly a cruel act. In 1437 he was created Earl of Avondale, and made Justice-General of

<sup>1</sup> In addition to Glenholm the Frasers held the greater part of the parish of Drumelzier, which then included Tweedsmuir, and also the lands of Neidpath and Jedderfield at Peebles.

<sup>2</sup> *Liber S. Trinitatis de Scon*, pp. 83-85. *Origines*, i. p. 180. Renwick: *Historical Notes*, p. 222.



Scotland. His third daughter, Janet, married Robert, first Lord Fleming, which is interesting in view of the subsequent connection of that family with the parish.

Glenholm was still in possession of the Douglas family in 1451,<sup>1</sup> in which year William, eighth Earl of Douglas, conveyed to Robert of Glenquhym the lands of Wra (Wrae).<sup>2</sup> This Earl, when a young man under thirty, was stabbed by King James II. in 1452 at Stirling Castle, to which he had been invited under safe conduct. He was succeeded by his brother James, who after a futile protest against the King's broken vows<sup>3</sup> lived to see his titles and all his possessions forfeited, and died broken and weary in the monastery of Lindores about 1484. He had no issue, and with him the main line of the Black Douglasses came to an untimely end.

After them, there was no baron of Glenholm. But one family to a certain extent did take the place of the Earls of Douglas as overlords of the parish. On 9th July, 1527, William Porteous of Glenkirk sold to Malcolm, Lord Fleming, the superiority of the lands of Logan, Mossfennan, Quarter and Chapelgill.<sup>4</sup> These lands were only a part of the whole barony, and how Porteous derived his right to that superiority there is no record to show. But in addition to that, the Flemings later obtained rights (principally of superiority) over other lands in the barony. In 1538 they had "Urrisland" (Holmsmill) and Cardon.<sup>5</sup> In 1541 they had right to the 40s. land of Smailhoppis (Smellhope), the 50s. land of Rachan (then occupied by John Berthram, Janet Porteous, and William Focart), and the 50s. land of Glenhigton and Glencotho (occupied by John Ramage and Michael Thomson).<sup>6</sup> And by a Crown charter dated 31st January, 1595-6, there was bestowed on them the patronage of the church of Glenholm.<sup>7</sup> These lands mentioned comprise all the properties in the parish, with the exception of Glenkirk, Whitslade, and the greater part of Rachan, which were probably by that time held direct of the Crown.

The Flemings, who became Earls of Wigtown, continued to hold superiority rights in the parish till the middle of the eighteenth century. In 1742 the trustees of John Fleming, Earl of Wigtown, sold to Major Thomas Cochrane, one of the Commissioners of Excise (afterwards eighth Earl of Dundonald, p. 61), the superiority of Logan,

<sup>1</sup> *R.M.S.* 1424-1513, No. 246.

<sup>2</sup> *Ibid.* No. 481.

<sup>3</sup> The King in the measures which he took to subdue the Earl, passed through Peebles with an army, it is stated, of 30,000 men, and went as far south as Dumfries.

<sup>4</sup> *R.M.S.* 1513-46, No. 487.

<sup>5</sup> *Ibid.* No. 1774.

<sup>6</sup> *Ibid.* No. 2502.

<sup>7</sup> *Ibid.* 1593-1608, No. 402.

Mossfennan, Quarter, Chapelgill and Cardon. He in 1753 sold the superiority of Chapelgill and one-half of Logan to John Naesmyth, Clerk to the Admission of Notaries, and the same year he sold the superiority of Mossfennan, Cardon, and the other half of Logan to Andrew Pringle, advocate, in liferent, and Robert Naesmyth, son of the deceased Sir James Naesmyth, in fee. John and Robert Naesmyth were succeeded by their brother, Sir James Naesmyth, who was served as heir in that capacity in 1775, and who was succeeded in 1779 by his son, Sir James. He sold in 1792 the superiority of Mossfennan, Logan and Chapelgill to John Welsh: the superiority of Cardon he retained, as he was then proprietor of the property. The Quarter superiority remained with the Cochrane family and is now dormant; and the superiority of Mossfennan and Logan was consolidated with the property by John Welsh. The Chapelgill superiority is also now extinguished.

## II

It is not easy with the records available to give a full or accurate account of the successive ownership of the lands in the parish. There are at present five separate estates—

Mossfennan (which includes Logan);

Rachan (which includes Quarter, Whitslade, Wrae, Duckpool, and Kirkhall);

Cardon (which includes Cardon itself, Smellhope Uriesland, part of Glencotho and Glenhigton, three-fourths of Glenkirk, Chapelgill, one-eighth of Glenkirk, Glenacca, Taylorlee, Kirkmeadow, etc., and part of Leesk);

One-eighth of Glenkirk; and

Glencotho (which includes the greater part of Leesk).

These will be taken in their order.

## MOSSFENNAN

This estate, which includes the lands of Logan, lies at the south end of the parish. On the property is the Wormal Hill (1776 feet). The house is beautifully situated, amid trees, above the highroad, and the lands extend for about two miles along the Tweed. Mossfennan, and Logan which adjoins it on the south, were for many years separate properties.

## (a) MOSSFENNAN

This was a 50s. land of old extent, and goes back a long way in history.

The original name was Mospennoc (*Cymric*, meadow by the hill), and the lands in the reign of Alexander II. (1214-49) were owned by William Purveys, who granted to the monks of Melrose a way-leave through them to their lands of Hopcarton<sup>1</sup> on the opposite side of the Tweed. In 1296 there is record of "John Eyr of Messfennon," who swore fealty to Edward I. of England on 23rd August of that year.<sup>2</sup> After that, two centuries pass before there is any clear trace of the proprietors, but it is probable that the lands were held either in property or superiority by the barons of Glenholm—the Frasers and the Earls of Douglas. After the forfeiture of the Douglas estates the superiority of Mossfennan (and also Logan) passed to the family of Porteous of Whitslade, afterwards of Glenkirk, and then, as already narrated (p. 274), to Lord Fleming in 1527, to Thomas Cochrane in 1742, to the Naesmyths in 1753, and to John Welsh in 1792.

William Fraser of Fruid (p. 404), on 19th May, 1498, was infeft in Mossfennan—his predecessors may have held it before that—on a precept from George Porteous of Glenkirk, and as it is called a £4 10s. land, it is evident that what the Frasers acquired was not only the property of Mossfennan itself (a 50s. land), but also the mid-superiority of the Logan part (a 40s. land), which was then held in property by the Browns of Hartree. The estate passed to Katherine Fraser, and she in 1531, with consent of her husband, James Tweedie, conveyed it to Malcolm, third Lord Fleming, in accordance with the directions of the Privy Council (p. 405).<sup>3</sup>

In 1647, John (Fleming), second Earl of Wigtown, and his eldest son John, Lord Fleming, conveyed Mossfennan for 900 merks and a feu-duty of £10 to Henry Scott, brother of Malcolm Scott of Glentour. The following year Henry Scott (who died in 1669) resigned the lands for new infeftment to himself and his wife, Katherine Abercrombie, in liferent, and their daughter Jean in fee. Jean Scott married Mr. John Muirhead of Persilands, advocate, and in 1671 the property was sold for 10,000 merks to Walter Scott in Talla and William Scott, his eldest son. This William Scott had two sisters, Janet and Grizel, who in 1685 were served as heiresses portioners, and in 1698 Janet, with

<sup>1</sup> *Liber de Melros*, p. 214, No. 238. The grant is quoted in full in Renwick's *Historical Notes*, p. 229.

<sup>2</sup> Bain's *Cal.* ii. p. 207.

<sup>3</sup> While in the possession of the Flemings, Mossfennan and other lands were united in 1580 into the barony of Mossfennan. Included in this barony were Menzion, Over Kingledoors, the mill of Uriesland, Logan, Quarter, Cardon (called Cardrono, apparently by mistake), Chapelgill, Fraser's (Frissell's) lands, and others (Wigtown Charters). The last-named would probably be the lands acquired from Katherine Fraser.

consent of her husband, John Scott in Daich (Dawyck), conveyed her share (which also included one-quarter of Logan) to Grizel,<sup>1</sup> who married prior to 1688 John Laidlaw, and who in 1718 transferred Mossfennan and Logan to her eldest son William.<sup>2</sup>

<sup>1</sup> The ballad of "The Logan Lee," quoted by Professor Veitch, would seem to refer to this period. It is a story of three young men who came to Mossfennan to woo the heiress. They were Graham of Slipperfield (p. 138), Hunter of Polmood "wi' his bastard blood" (p. 455), and a third, Charlie, who is not identified. The heiress may be Grizel Scott: if so, she was not comely in the eyes of the wooers.

"If ye be the leddy o' this house,  
That we hae come sae far to see,  
There's many a servant lass in our country side  
That far excels the Ledy o' the Logan Lee."

The poem probably contains fragments of a much older ballad (Veitch: *History and Poetry*, vol. ii. p. 237).

<sup>2</sup> William, his brother Walter (both of whom evidently assumed the surname of Scott), and three of their servants were before the Court of Justiciary in 1712 on a complaint by Donald Macpherson, son of Malcolm Macpherson of Breakachie, merchant drover. Macpherson was driving a drove of black cattle to England along the roadway between Mossfennan House and the Tweed, when, he alleged, he was violently attacked by the Scotts and their servants with dogs. Macpherson was dragged "backward by the hair from off his horse to the ground" and was lashed with horsewhips. His servant had one of his fingers almost severed with a shearing hook. The cattle were hounded for several miles, eight were disabled, six of the best seized by William Scott, and twelve more died on the road to Carlisle. For the loss of cattle £428 was claimed (£3 a head), and for damages and expenses £100 stg.

Scott's defence was that he and his brother lived in a "peaceable country," and were known to be of a "gentile and peacefull temper"; that the drovers, having been "kindly entertained" at Mossfennan House, turned the cattle into his hained grass which was near the roadside; that when Scott's servants attempted to hound the cattle on to the road again, Macpherson threatened them with a pistol, and one of his servants drew a "dirk," and coming up behind Walter Scott, "knocked him down dead (unconscious), where he lay a considerable time speechless"; that Scott himself, hearing the "noise of the fray, having come up and interposing," was also threatened with Macpherson's pistol, and received "several lashes with his whip"; and that "after all this extremity one of Macpherson's servants, in assistance of his master, was obliged to inclose the said Donald Macpherson in his arms, keeping him fast till his horse parted with him, and then wrested the pistoll out of his hands."

That appears a sufficiently formidable defence, but its weak point is that it is discreetly silent about the injury to the cattle and the six which Macpherson said had been seized. As to that, a purely legal plea is put forward that Macpherson, being the aggressor, the defenders "are not to answer for the consequences"; that the "pretended loss must be rejected as irrelevant," as it is not possible to drive twenty score of black cattle two or three hundred miles without losing some of them.

Macpherson was represented by Sir David Forbes, and Scott by Sir



## (b) LOGAN

This was a 40s. land, and is referred to in early writs as half of Mossfennan and Logan: it belonged in property in the beginning of the fifteenth century to the branch of a Porteous family which settled in Glenholm. In 1439 William Porteous of Glenkirk, son and heir of John Porteous of Whitslade, conveyed it to William Brown of Hartree, the superior then being William, Earl of Douglas, who confirmed the transaction in 1449.<sup>1</sup> The following year Brown exchanged the property for the lands of Thriepland in Kilbucho (p. 323), which belonged to Thomas Anderson. There is a reference to Thomas Anderson of Logan in 1466, who witnessed the sasine of John Brown of Hartree,<sup>2</sup> and after that there is no further record of Anderson's ownership. The property was divided, and in 1517 William Brown was one of the portioners, and witnessed a sasine by John Porteous of Glenkirk of one-half (or, as it was called, one-fourth part of Mossfennan and Logan) to Umfra Harlaw. This half, it was stated, had previously belonged to Andrew Brown of Hartree.<sup>3</sup> William Brown, whose wife was Janet Crichton of the Quarter family, and Walter Harlaw are referred to as portioners in 1558 and 1562.<sup>4</sup> In 1561 James Tweedie of Drumelzier gave sasine of six acres of his lands of Logan, with twelve souns of grazing, to Thomas Tweedie, his servitor.<sup>5</sup> There is no other record of the Tweedies' connection with the lands as owners, and by the beginning of the seventeenth century Logan belonged entirely to the Browns, and was held in two parts, a separate account of which can be given.

## ONE-HALF OF LOGAN

In 1627 William Brown was proprietor, and was present at the weaponshaw in Peebles "well horsed, with lance and sword: and a horseman with nothing." The same year he wadset the property for £1000 Scots to James Douglas of Cowthropple (Callands, p. 86) in liferent, and William Douglas, his second son, in fee. In 1632 Brown granted another wadset to James Douglas for 1200 merks, and the following year he discharged his right of reversion. In 1634 the property was sold outright by Brown to James Douglas<sup>6</sup> in liferent, and Thomas Douglas, his son, in fee. This was followed by a charter from the

James Naesmyth of Posso, James Graham and James Boswell; one of the assize was John Forbes of Culloden.

The decision of the Court was given on 30th March, 1712. Scott was fined £35, but as he was allowed to keep the six cattle which he had carried off, and also others which had been left by Macpherson with James Tweedie in the Bield, he would not be much out of pocket over the affair.

<sup>1</sup> Hartree Papers.<sup>2</sup> *Ibid.*<sup>3</sup> *Ibid.*<sup>4</sup> *Peebles Protocols.*<sup>5</sup> *Ibid.*<sup>6</sup> Alexander Tweedie in Logan in 1654 was decreed to pay James Douglas £100 as rent (Sheriff Court Books).



Earl of Wigtown as superior. Thomas Douglas, who was a writer in Edinburgh, and was designated "of Logan," in 1662<sup>1</sup> married Helen Geddes, and in 1676, with consent of his wife, sold this half to Walter Scott in liferent, and William Scott, his son, in fee, who by that time had also the lands of Mossfennan.

#### THE OTHER HALF OF LOGAN

On 6th November, 1624, John Brown, eldest son and heir of William Brown of Townhead of Logan, was infeft in this half on a charter by Andrew Brown of Hartree, and in 1636 he had a charter from the superior, John, Earl of Wigtown. He fell into debt, like his kinsman, and between 1642 and 1645 granted two wadsets for £2000 each, and four bonds for 1423 merks in all, to William Brown in Biggar. In 1645 William Brown received a conveyance of the property from his debtor, and had a charter from the Earl of Wigtown two years later. He was succeeded by his eldest son John, who received a precept of *clare constat* from the superior in 1659. In 1691 John Brown, merchant in Edinburgh (perhaps a son of the previous John), with consent of Elizabeth Tweedie, his wife, and William, his brother, sold the property to George Kello in Carwood. A number of debts had been contracted affecting the lands, and these were paid off by Kello, who thereafter in 1712 sold this half for 6800 merks to Grizel Scott ("Lady Mossfennan") in liferent, and William Scott, *alias* "Laidly" of Mossfennan, her eldest son, in fee.

#### (c) MOSSFENNAN AND LOGAN

The lands being thus united in the person of Grizel Scott, passed to her son William<sup>2</sup> in 1718, who had a charter of confirmation from the Earl of Wigtown as superior. In 1736 he conveyed the property to Robert, his eldest son, who in 1752 sold it to Robert Welsh, who was then tenant of Mossfennan, for £2600.

The improvements which Robert Welsh carried out were, according to Armstrong, "not less useful than ornamental." He was succeeded by his son John prior to 1790, and the lands in 1792 were stated to be worth between £140 and £150 per annum, as attested by a certificate signed by the Rev. William Welsh, minister of Drumelzier; William Welsh, tenant in Cardon; and Alexander Tweedie, tenant

<sup>1</sup> Cringletie Papers.

<sup>2</sup> In the proceedings for the division of the common of Glenholm (Holmshope), 1730-6, he was granted the right to take peats (six dargs) therefrom (p. 284).

in Dreva. In the same year John Welsh purchased the superiority of Mossfennan, Logan and Chapelgill from Sir James Naesmyth for £500 (p. 275).

In 1798 William Welsh, tenant in Cardon, who married Christian, daughter of Alexander Welsh, tenant of Patervan, was served as heir to his brother John. He consolidated the property with the mid-superiority, and in 1823 (the year of his death) conveyed Mossfennan and Logan to Robert Welsh, his eldest son, who was in possession till his death in 1856. He was succeeded by his nephew, the Rev. William Welsh, D.D.,<sup>1</sup> who became minister of Broughton Free Church and married Christina Guthrie, daughter of the Rev. Thomas Guthrie, D.D., and sister of the late Charles John Guthrie (Lord Guthrie). Dr. Welsh, who was highly respected and esteemed in the district, died in 1892, survived by his wife. He had no children. Under his will his wife had the liferent of Mossfennan, and after her death in 1895 his brother Alexander had the liferent. Alexander Welsh, who married Janet Thomson, a descendant of James Thomson, author of *The Seasons*, died in 1901, and the property passed to his son Alexander, who is now in possession.

Mr. Welsh married Miss Dale of Scoughal, North Berwick, and he is tenant of Spittal, Longniddry.

The present rental is £530 15s.

#### RACHAN

This beautiful estate now comprises not only Rachan, but also Quarter, Whitslade, Wrae, the Duckpool, and Kirkhall.

The present rental is £1652.

The original lands of Rachan<sup>2</sup> lay on the south side of Holms Water between Glenholm Church and Biggar Water. Apparently they were rated at £12 of old extent (612 acres). None of the early writs is extant, and as the property originally was held of a subject superior, there is little information which can be given. John of Geddes, who

<sup>1</sup> Son of Alexander Welsh, tenant of Cardon, Chapelgill and Glenkirk, who married Mary Tweedie, Dreva.

<sup>2</sup> Gaelic *racan*, arable land.



MOSSFENNAN





lived in the beginning of the fifteenth century, is the earliest recorded proprietor. He was the son of Andrew of Geddes, and was a burgess of Peebles; he has already been referred to as the proprietor of Ladyurd (p. 188). He founded a chaplainry in the Parish Church of Peebles, and among other endowments he granted (4th December, 1427) an annual rent of £3 6s. 8d., payable out of "that fourth part of the land of Rauchan, which I, the said John, hold of the baron of Glenwyne in blench farm, for payment of a silver penny, if asked." From that reference it would appear that the lands of Rauchan were held by four proprietors, and this is corroborated by a roll of the Head Court of Peebles made up about 1510, in which four names are given for Rachan—William Porteous,<sup>1</sup> Thomas or John Dickson,<sup>2</sup> George of Geddes,<sup>3</sup> and John of Geddes. These portioners all held, as pertinents of Rachan, shares in the lands of Glenhighton and Glencotho.

#### GEDDES OF RACHAN

John Geddes was succeeded by his son Charles, who was served heir to him on 8th May, 1467, in ten bovates of the lands of Thankerton, which had been granted to John by David Hay of Yester in 1435, with remainder to his brother George of Geddes.<sup>4</sup> Charles was succeeded by his son John, and thereafter for ten generations there were Geddeses in Rachan. Charles Geddes,<sup>5</sup> great-grandson of the first John, succeeded

<sup>1</sup> He was probably kin to the Porteouses of Glenkirk. In 1634 Thomas Porteous made over his share of Rachan, Glenhighton and Glencotho to James Geddes of Rachan (p. 305).

<sup>2</sup> On 23rd October, 1491, the King granted to Thomas Dickson of Ormiston that part of the lands of Rachan, Glenhighton and Glencotho, which had formerly belonged to William Hoppringle of Cessford, John Ker in Carinton, and William Ker of Mersington (*R.M.S.* 1424-1513, No. 2065, and Wigtown Charters). In 1534 John Dickson of Ormiston granted his fourth part of these lands to Malcolm, Lord Fleming. About 1650 John, eighth Lord Fleming and third Earl of Wigtown, transferred that part to the Murrays of Cardon (p. 301), from whom it passed about 1700 to the Murrays of Stanhope. In 1722 Alexander Murray, younger of Stanhope, sold it to James Geddes of Rachan and Kirkurd (p. 284).

<sup>3</sup> He was a brother of John Geddes. His share was apparently acquired by John or his descendants.

<sup>4</sup> Yester Writs.

<sup>5</sup> George Geddes of Kittlehall, who may have been a son of Charles, became surety for a William Tweedie in connection with the judicial proceedings following on the murder of Lord Fleming (p. 425), and in 1525 he petitioned the Lords of Council to be released from his engagement on the ground that he was a minor and "may nocht nor suld nocht be souerte." His request was granted. In the petition it is stated that William Tweedie was "ane scolar" and was innocent, "considering ye tyme of ye committing of ye samin, he was at ye scule in Edinburghe" (*Reg. Priv. Con.*).

to the lands as heir to his father, John, about 1500. He had a charter from King James V. on his own resignation, dated 24th August, 1537, of all the property he then possessed—the £6 lands of Rachan, extending to one-half<sup>1</sup> of the town and lands of Glenholm, the 20s. land of Glenhigton, the 40s. land of Glencotho (being one-half), a 15s. land in Whitslade, a 5s. land in Glenkirk, the superiority of the 40s. land of "Smalehopis-Wester" (part of Cardon), etc., with common pasturage in "Quhummishope" (Holmshope).<sup>2</sup> The holding was now direct of the Crown—the mid-superiority having been extinguished probably through the forfeiture of Douglas lands—for payment of a silver penny, and sasine taken at Rachan was to be sufficient for the whole. Failing his own heirs male, the destination in the charter was to Patrick and Andrew, successively, sons of the deceased John Geddes, who were probably brothers of Charles. He married Elizabeth Hunter (probably of the Polmood family), and died about 1560. In addition to his eldest son, William, he had—

Mr. Charles Geddes, who in 1553 had an annual rent of £20 from his father out of the lands of Glenholm.

Mungo Geddes, who witnessed a transaction at "Cuttlehall" on 1st July, 1559.

James, who was present in 1560 at the sasine of his nephew Charles.

William Geddes, the eldest son, married before 1543 Janet Baird, the younger daughter and co-heiress of John Baird of Posso (p. 561). He was killed in 1558 by the Tweedies, and that was the beginning of a long feud with that family. There is no information about this murder other than an entry in the records of the Privy Council, according to which a respite was granted under the Privy Seal to James Tweedie of Drumelzier, James Tweedie of Fruid, Patrick, William, and John, his brothers, and Thomas Tweedie *alias* Long Tom, for the cruel slaughter of William Geddes, son and apparent heir of Charles Geddes of "Cuthilhall." Besides his eldest son, Charles, William Geddes had other five sons—

John, who was a portioner of Kirkurd and servitor to Sir Walter Scott of Kirkurd in 1589, married Margaret Cockburn, and dying in 1611, left a son James, who purchased Rachan from his cousin Charles;

George Geddes of Edmestoun, who was chamberlain of Biggar, 1590, married Esther Fleming, and had issue;

William, who in 1607 was heir to his brother George;

Thomas, probably the tenant of Hearthstane in 1617; and

<sup>1</sup> *i.e.* the two quarters appearing as Geddes properties in the roll of the Head Court.

<sup>2</sup> *R.M.S.* 1513-46, No. 1706. It is stated in the charter that these lands, with the exception of Whitslade and Glenkirk, had been held in tailzie for a hundred years or thereby.

James Geddes of Glencotho and Glenhigton, who married Margaret Veitch and had issue—William Geddes of Glencotho and others.

Charles, the eldest son of William, was served heir to his grandfather in 1560. He was an important man in his day in the county, and held the office of Coroner or Crowner of Tweeddale,<sup>1</sup> which was conferred on him by James VI. on 21st February, 1577-8. There was open rivalry at this time between the Geddes family and the Tweedies of Drumelzier,<sup>2</sup> and the position was not a comfortable one for Charles Geddes, as Drumelzier marched with Rachan on the south, and Tweedie had retainers further up Holms Water, in Quarter, Cardon and Glenkirk. A feud with the Tweedies usually began and ended in bloodshed, for they had long ceased to regard as worthy of emulation the fine old family motto, handed down from some remote ancestor, of *Thole and Think*.

James Geddes of Glenhigton,<sup>3</sup> above mentioned, a brother of Charles, fell a victim to the treachery of the Tweedies in Edinburgh on 29th December, 1592. A complaint was made to the Privy Council by the widow, Charles Geddes and the friends of the murdered man, against James Tweedie of Drumelzier and his associates, including Patrick Porteous of Hawkshaw and John Crichton of Quarter. The offenders were denounced and put to the horn, while James Tweedie was for some time in prison in Edinburgh Castle, from which he was liberated in 1593, Sir Michael Balfour of Burley becoming his cautioner.<sup>4</sup>

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<sup>1</sup> "At one time the functions of the crowner were very high both in England and Scotland, and seem to have been co-extensive with the sheriffdom. . . . The office went early out of use in Scotland" (Cosmo Innes: *Legal Antiquities*, p. 84).

<sup>2</sup> See *Tweedie Family*, pp. 41-42.

<sup>3</sup> His wife, Margaret Veitch, was of the Dawyck family, and that itself was an offence to the Tweedies, between whom and the Veitches there was bitter hatred (p. 429). There is record of Charles Geddes having wadset to James Geddes the 40s. land of Glencotho and the 5s. land of Glenkirk, redeemable for a rose noble, and also the lands of Glenhigton, redeemable for 600 merks.

<sup>4</sup> The circumstances of this deliberate murder are given in the Privy Council records, and in addition to the murder of William Geddes in 1558 there had apparently been other outrages, for the complainers state that "it is not unknowne how many slaughters have been committit upon them by James Tuedy of Drummelzier and his friends." On this occasion for "the space of aucht days" Tweedie and his companions haunted the streets of Edinburgh watching for an opportunity to slay the laird of Glenhigton. On 29th December they found that he was "in the Cowgait at David Lindsay's booth shoeing his horse, being altogether careless of his awne suretie," and rushing out of the closes where they were hiding "shamefullie, cruellie, and unhonestlie, with schottis of pistollettis murdereit and slew him behind his bak."

In 1617 the minister of Glenholm complained to the Presbytery that "his Session was dissolved through the misbehaviour of James Fraser, many ways offensive and slanderous, and through his (Fraser's) reset by Charles Geddes of Rachan, who detained him contrary to the ordinance of the Session." Geddes was warned and admonished, but paid little heed, and the Presbytery could "spy no sign of repentance" in him. He was threatened with excommunication, and it was about a year later before he promised to amend his ways.

Charles Geddes died about 1627, and was succeeded by his son Charles, who sold the lands the same year to his cousin, James Geddes of Kirkurd,<sup>1</sup> who purchased from Thomas Porteous of Glenkirk in 1634 his share of Rachan, Glenhigton, and Glencotho, and thereafter the lands which were erected into a barony in 1677, share the history of Kirkurd (p. 191) until 1752.

In the beginning of the eighteenth century, James Geddes of Rachan and Kirkurd extended the family possessions in Glenholm. In 1712, by a contract of excambion dated 12th December, he acquired from Alexander Murray, younger of Stanhope, the lands of Taylorlee on the east and west sides of Holms Water, lands called Langdale on the lower side of the road leading to Glenholm church, a five noble land lying in the Kirkmeadow, the meadowland between the minister's glebe and Quartercroft foot, and the whole lands which Alexander Murray had within the mill dams above Rachan Mill. In 1719 he purchased (disposition dated 14th April) from Alexander Murray a property called "the fourth pairt of Rachan,"<sup>2</sup> which apparently included Rachan Mill. And in 1722 (disposition dated 12th March) he acquired from Alexander Murray the church lands of the parish called Kirkhall (p. 298), which no doubt were in the vicinity of the church.<sup>3</sup>

In 1730 James Geddes petitioned for a division of the common of Holmshope,<sup>4</sup> which lay at the head of Holms Water, and by decree

<sup>1</sup> In that year James Geddes of Rachan appeared at the weaponshaw at Peebles "weil horsit, with jack steil bonnet, sword and pistol; with five horsemen with lances and swords."

<sup>2</sup> This was the share which Thomas Dickson of Ormiston acquired in 1491 (p. 281).

<sup>3</sup> Murray of Stanhope derived his right to all these lands from his relatives, the Murrays of Cardon.

<sup>4</sup> This process was at the instance of Sir Alexander Murray of Stanhope, proprietor of one-eighth of Glenkirk; James Geddes; Robert Hunter of Polmood, proprietor of the Wrae; and William Bertram of Duckpool, against John Naesmyth of Posso, proprietor of three-fourths of Glenkirk, Chapelgill, Cardon, etc., John Porteous of Glenkirk for his interest, and John Dickson of Quarter and Whitslade. It was six years before a decision was arrived at. The total extent of the common was fixed at 1303 acres and 34 falls. Sir Alexander Murray was allotted 10 acres, 3 roods and 23½ falls; Geddes, 711 acres, 16 falls; Hunter, 98 acres, 2 roods, 34½ falls; Bertram, nothing, as he did not produce titles; Naesmyth for Cardon, 238 acres, 2 roods, 5½ falls; for Glenkirk, 109



dated 1736 was found entitled to 711 acres and 16 falls, of which 25 acres, 1 rood and 32 falls represented the proportion applicable to his share of the lands of Glenkirk. This extent of ground was practically all on the south side of Holms Water, at the head of the valley.

The dwelling-house of Rachan in the time of the Geddeses was called Kittlehall or Cuttlehall, a peel tower which was ruinous when Armstrong wrote in 1775. It was a structure, he says, "of the same consequence with Wrae," the ruins of which are still in existence. It is marked on Blaeu's map.

#### CARMICHAEL OF SKIRLING AND RACHAN

##### LOCH OF RACHAN

In 1752 all the Geddes lands in Glenholm, including Rachan, were purchased (p. 193) by John Carmichael of Skirling (afterwards fourth Earl of Hyndford) for £3904 4s. 2d. He sold them in 1765 to James Loch,<sup>1</sup> a writer in Edinburgh, who in 1774 conveyed them to John Loch, younger of Hawkshaw, in liferent, and William Loch, his eldest son, in fee. John Loch is referred to in Findlater's *Agricultural Survey* (1802) as progressive and alert in the management of his lands. He introduced a breed of cows from Kyle, Ayrshire, which he thought highly of, and studied the diseases of sheep. He planted the woods at Rachan, which Findlater describes as a striking instance of beauty and utility "disposed in all the wild irregularity of Nature." In his time a small portion of ground on the north side of the Tweed near to the junction of Biggar Water was acquired from Andrew Hay of Drumelzier with the object of making the river serve as the boundary of the two estates. In all likelihood this ground, part of which was called the Sandbank, was the original course of the Tweed.

##### TWEEDIE OF RACHAN

William Loch died about 1841, and his testamentary trustees in 1844 sold Rachan, etc., for £17,500 to Thomas Tweedie of Quarter,

acres, 10 $\frac{3}{4}$  falls; for Chapelgill, nothing, as these lands were found to have no share in the common; and Dickson, for Whitslade, 134 acres, 4 $\frac{1}{2}$  falls, and for Quarter a servitude only of cutting peats on six acres of moss (Polmood's share was burdened with this). Scott of Mossfennan appeared, and produced a grant dated 1649 from the Earl of Wigtown, Sir David Murray of Stanhope, James Geddes of Kirkurd, and others whose names are not given, of power to take peats (six dargs) from the common; and the Rachan share was burdened with this servitude and also with one in favour of the minister of Glenholm. In this process the valued rents are given of the lands entitled to a share—James Geddes's lands, £616 15s. 10d. (which included £79 7s. 10d. for "the fourth part of Rachan"); Sir Alexander Murray for one-eighth Glenkirk, £14 1s.; James Naesmyth for Cardon, Glenkirk, etc., £310; Robert Hunter for Wrae, £113; and John Dickson for Whitslade, £197 15s.

<sup>1</sup> The Lochs had old connections with the county. (See vol. ii. p. 446.)



who was already the proprietor of Quarter and Whitslade, the particulars of which will be given later.

The present house at Rachan, near the junction of Holms Water and Biggar Water, was built by Thomas Tweedie, and completed by his successor. The policy grounds, in which are two ornamental lakes, are beautifully laid out. There is another dwelling-house on the estate, Merlindale, overlooking the Tweed at that part where the road from Drumelzier crosses the river. It was also built by the Tweedies, and was formerly called Rachan Cottage.

Thomas Tweedie added to the estate in 1847 the lands of Wrae, which he purchased from Walter Hunter of Polmood (Lord Forbes) for £3900, and in 1850 the small property of Duckpool, which he purchased from his brother, John Tweedie. He was a doctor by profession, and had a distinguished career in the service of the East India Company, in which he received a commission as surgeon in 1805, and from which he retired in 1844 with the rank of Physician-General. In addition to his purchases in Glenholm, he also acquired the lands of Glenrath and Castlehill in the parish of Manor (p. 598), all these acquisitions in Peeblesshire involving, according to Dr. Chambers, an expenditure of £80,000. Thomas Tweedie, who had a middle name, Stevenson, which he rarely used, took his part in the public life of the county, of which he was a Deputy-Lieutenant and a Justice of the Peace. He died in 1855, survived by his wife, Benjamina, daughter of Charles Mackay, and a family of three sons and three daughters. The eldest son, James, succeeded.

James Tweedie, who held a commission as Lieutenant in the 80th Regiment, was, like his father, a Deputy-Lieutenant and a Justice of the Peace of the county. He was twice married—in 1858 to Jane, daughter of John White of Drumelzier and Netherurd (p. 205), and then to Emma Charlotte, daughter of David Cunliffe of the Bengal Civil Service. By the second marriage he had a family. When the Caledonian Railway was formed (1864) the opportunity was taken of straightening a part of Biggar Water adjoining the Rachan policies, and for this purpose about five acres of land was acquired from the Company. In 1867 the tollhouse on the roadside was purchased from the Peeblesshire Road Trustees, and in 1869 a servitude pertaining to the lands of Rachan of casting peats on the moss of Glencotho was discharged in favour of the proprietor of that property, George Hope. Twenty years later James Tweedie fell into debt, with the result that his estates were sequestrated, and in 1890 he granted a conveyance for behoof of his creditors to John Ord Mackenzie and Harry Cheyne, Writers to the Signet, Edinburgh. These trustees sold the land by public roup in 1897 to the present proprietor, Mr. Henry Brown Marshall. He is the second son of James Marshall of Glenhove, Lanarkshire.

## MARSHALL OF RACHAN

Mr. Marshall, who married in 1885 Anna, daughter of Gerrit H. Rissik, M.D., of Utrecht, Holland, has considerably improved the house of Rachan and also the policy grounds. He takes a great interest in his estate, and the home farm at Whiterigg is noted for its Clydesdales and cattle. He is a prominent and active member of the County Council, of which he is Vice-Convener. For many years he has been a Deputy-Lieutenant and a Justice of the Peace of the county, and is now Vice-Lieutenant.

## QUARTER

Before dealing with these lands, it is necessary to explain that what is now known as Quarter is only a part of the lands in Glenholm which were originally known by that name. The old property of Quarter was a £5 land (156 acres), and the first mention of it is in 1525 (24th November), when Malcolm, Lord Fleming, redeemed it, along with Glencotho, from William Hunter of Polmood.<sup>1</sup> Two years later (20th November, 1527) he was infeft therein on a charter and precept from the superior, William Porteous of Glenkirk,<sup>2</sup> and the same year, as we have seen (p. 274), he acquired from Porteous the superiority itself.<sup>3</sup>

<sup>1</sup> Wigtown Charters.

<sup>2</sup> *Ibid.*

<sup>3</sup> There is another property which appears on record called Quarter Chapel, and it is easy to assume that it has some connection with Quarter or Chapelgill. The opinion is here given that there is none. Quarter Chapel is referred to in 1512 as the head message of the barony of Oliver Castle, and it was there that John, Lord Hay of Yester, took sasine of the barony in that year (Yester Writs). In 1555 (31st July), at the market cross of Peebles, John, Lord Hay, offered to give sasine of Quarter Chapel and also Glencotho to James, Lord Fleming, in terms of the former infeftments, on condition of his paying part arrears and what fell due in the future (*Peebles Protocols*). In 1564 James, Lord Fleming, was infeft therein on a precept from William, Lord Hay. Now from these references it is clear that Glencotho and Quarter Chapel were both part of the barony of Oliver Castle. On the other hand, there is no evidence that Quarter or Chapelgill in Glenholm were ever part of that barony; on the contrary, they were in all probability part of the old barony of Glenholm. The situation of Glencotho is known: it will be dealt with later. Where, then, is Quarter Chapel? It must be looked for in Tweedsmuir, in which by far the greater part of the barony of Oliver Castle was situated, and in which it would be reasonable to find the "chief message." The present Parish Church of Tweedsmuir is built on a small mound which used to be called the Quarter Know. And it is not unreasonable to assume that there would be a chapel on that site in pre-Reformation times, and accordingly it would seem that the Parish Church marks the site of the Quarter Chapel—a most suitable place for the "chief message."

The lands of Quarter, as they are now known, lie on the left side of Holms Water between Cardon and Whitslade. They were rated at 30s. of old extent (78 acres), and described as the half lands of Quarter, Chapelgill, and Cardon. The superiority rights have already been referred to. The actual possessors of the property during the sixteenth and the greater part of the seventeenth century were the Crichtons.

#### CRICHTON OF QUARTER

Robert Crichton of Quarter is mentioned in 1534. Another Robert, probably his son, is referred to in 1555 in a deed of discharge by Janet Crichton (spouse of William Brown in Logan), no doubt a relative, of all debts contracted between them.<sup>1</sup> In 1560-1 (18th February) John, Lord Fleming, the superior, gave sasine in the lands to Robert Crichton as heir to his grandfather Robert.<sup>2</sup> After the death in 1572 of Lord Fleming, whose estates were forfeited because of his devotion to Queen Mary, King James VI. granted a charter on 26th November, 1573, to Robert Crichton.<sup>3</sup> This Robert died in 1578, and on 9th November, 1579, his son John had sasine in an annual rent of £5 from Baitlaw in the barony of Carnwath.<sup>4</sup> John Crichton of Quarter was concerned in the murder of Patrick Veitch by the Tweedies in 1590 (p. 429). He died on 10th May, 1595, leaving eight young children—John, Thomas, James, Margaret, Jane, Katherine, and Agnes—his brother Andrew acting for them. On 24th January, 1622, there is record of a bond for 300 merks by Katherine Tweedie, widow of John Crichton of Quarter, and her son James, to Charles Tweedie, brother of John Tweedie in Nether Oliver, to which one of the witnesses was Robert Crichton of Quarter.

Robert Crichton of Quarter was before the Presbytery in 1627 for “making a tuilzie in the kirk of Glenholm after sermon, the congregation not being dismissed; striking a gentleman with a rung which he kept under his cloak, and drawing his sword.” For this he was deprived of his office as elder and ordered to appear before the Privy Council. It may have been his son, John Crichton, cornet to a horse troop, who was killed in March, 1645.

There appear to have been Crichtons in Quarter till 1665.

<sup>1</sup> *Hartree Papers.*

<sup>2</sup> *Peebles Protocols.*

<sup>3</sup> *R.M.S.* 1546-80, No. 2162. In December of the same year Archibald Baillie of Hills was infeft in the half lands of Quarter, Chapelgill, and Cardon (*i.e.* the other half), which it was stated had formerly belonged to Lord Fleming and had been forfeited. To this sasine Robert Crichton of Quarter was a witness, and it is evident that the grant to Baillie was only of a mid-superiority (*Peebles Protocols*). The Baillies retained their connection for some time. On 5th March, 1618, James Baillie was served heir to his father, Alexander (*Peebles Retours*, No. 52), and was in turn succeeded by his son Archibald, who was served as his heir on 19th October, 1637 (*Ibid.* No. 106). In that last service the old extent of the property is stated not at 30s. but at 33s. 4d.

<sup>4</sup> *Reg. Ho. Protocols.*



RACHAN



QU'ARTER





## DICKSON OF QUARTER

## TWEEDIE OF QUARTER

The property then passed to the Dicksons of Whitslade, and remained with them till 1740, when it was sold by John Dickson to Thomas Tweedie, second son of Thomas Tweedie of Oliver. "This may be called," says Dr. Chambers, "the beginning of a new branch of the Tweedies, who from father to son went on increasing the family inheritance." Thomas Tweedie, who married in 1728 Mary, daughter of Alexander Stevenson, tenant of Dreva and later proprietor of Venlaw, died in 1766, and was succeeded by his third but eldest surviving son Alexander.

Alexander Tweedie was a Writer to the Signet, a Justice of the Peace for Peeblesshire, and a burghess of Peebles. In 1777 he acquired the adjoining lands of Whitslade from William Dickson, and died in 1803, survived by his wife Anne, eldest daughter of Michael Carmichael of East End, Lanark, and a family. Thomas Stevenson Tweedie, the eldest son, succeeded, and in his time (1844) Quarter became part of Rachan.

The present dwelling-house, which was restored about 1860, is an attractive building, carrying a small turret, which was a common feature in Scottish architecture in the eighteenth century.

## WHITSLADE

This property adjoins Rachan on the west, extends from the Biggar Water to the lands of Quarter, and includes Heughbrae, a name still applied to cottages on the side of the road to Quarter. Judging from the description in the present writs, it was a £6 land of old extent (312 acres), and it frequently appears in early references in conjunction with the lands of Glenkirk, although these lands lie towards the head of the valley of Glenholm, while Whitslade is at the foot.

The earliest reference found to Whitslade is on 14th August, 1439, in a charter of the half of Logan to William Brown by William Porteous, who calls himself son and heir of John Porteous of Whitslade, showing that Whitslade was at that date in the possession of the Porteouses.<sup>1</sup> On 16th March, 1489-90,<sup>2</sup> King James VI. confirmed a charter of Whitslade and Glenkirk<sup>3</sup> to Matthew Glendonwyn of Glenrath, who had acquired it from "Janet Lichtoun of Petdynis, with consent of Thomas Erskin, her spouse, at Auldwerk in the forest of Ettrick." Subsequent transmissions are difficult to trace, for the lands appear to have been divided up amongst several proprietors. On 5th July, 1482, George Porteous, portioner of Balcasky, exchanged with John Strang, portioner of Whitslade and Glenkirk, his quarter of

<sup>1</sup> *Hartree Papers.*

<sup>2</sup> *R.M.S.* 1424-1513, No. 1939.

<sup>3</sup> This was probably a wadset, as Glenkirk was then held by the Porteous family.

Balcasky for Strang's quarter of Whitslade and Glenkirk, and Porteous's charter to Strang was confirmed by the King on 10th December thereafter. As the Porteouses had already a part of Whitslade, presumably a quarter, this addition would make their portion the half, or a £3 land. About 1510, as shown by a roll of the Head Court of Peebles, five portioners are referred to—William Porteous, Patrick Gillies, James Cockburn, Marion Dickson, and Christian Inglis. Whether there were, then, other proprietors in addition to these, or what their respective shares were, there is no record to show, except that the share of Patrick Gillies was apparently one-eighth, and that he had acquired it in 1503 from John Multray of Markinch.<sup>1</sup> It may also be taken as probable that the share of Porteous, as before indicated, was one-half.

The story of the lands during the sixteenth century is confused, and it is only possible to give a note of ascertained transmissions. We shall take the five portioners above mentioned in their order.

#### (1) PORTEOUS'S SHARE

On 9th April, 1513, John Porteous of Glenkirk had a charter from King James IV. of the lands of Glenkirk and Whitslade, which had been "recognosced" from him, and they were then, with the lands of Logan, Mossfennan, Quarter, and Chapelgill, erected into the free tenandry of Whitslade. That charter included the share of Whitslade (probably one-half) which Porteous then had, but later it appears that the superiority of the other half was also acquired, as by another charter dated 31st August and confirmed by the Crown on 28th September, 1544,<sup>2</sup> William Porteous of Glenkirk disposed to his son and heir John and his affianced spouse Christian Muirhead, daughter of James Muirhead of Lauchope, the £6 lands of Whitslade. Prior to 1558 part of the property was wadset for 100 merks to Leonard Marshall, son and heir of James Marshall, and in that year John Porteous, younger of Glenkirk, redeemed it for that sum and took delivery of the writs. He then gave sasine of the 30s. lands of Whitslade, occupied by Leonard Marshall, to Adam Ros, who for a year or two thereafter is designated "of Whitslade."<sup>3</sup> The £6 lands are again referred to in the service on 17th April, 1600, of Thomas Porteous of Glenkirk as heir to Alexander, his father.<sup>4</sup> This Thomas fell into debt, and on 6th January, 1630, his £6 lands of Whitslade and Heughbrae were appraised by James Tweedie of Drumelzier for a debt of 6400 merks, and on 14th January his brother, William Porteous of Stewarton, also appraised the lands, including their pendicles, for a debt of

<sup>1</sup> R.M.S. 1424-1513, No. 2749.

<sup>2</sup> R.M.S. 1513-46, No. 3023.

<sup>3</sup> *Peebles Protocols*.

<sup>4</sup> *Peebles Retours*, No. 17. Included as "outsets" or pendicles of the tenandry of Whitslade were a 20s. land of Glencotho, 30s. of Glenhigton, and 35s. of Rachan.

1460 merks. Crown charters followed on both apprisings on 16th January.<sup>1</sup>

### (2) GILLIES'S SHARE

Patrick Gillies, the portioner of 1510, was a burghess of Peebles when he received the lands in 1503. He became a councillor of the burgh, and he had also a share of the lands of Glenkirk. On 18th February, 1508-9, a protection and respite was granted to "Patrick Gillies of Glenkirk, bailie of Peebles, who passes by the King's (James IV.) licence in his pilgrimage to Jerusalem." The protection extended to his wife, bairns and servants, and endured for forty days after Patrick's return.<sup>2</sup> He was still a bailie in 1511, and in 1513 he was burgh treasurer. He was killed at Flodden (vol. ii. p. 17). In 1561 Alexander Gillies, a descendant, paid £40 as the final instalment of the price of the 5s. lands of Glenkirk sold to him by Janet Dickson, William Tait, her husband, and Thomas Tait, their son. Two years later there is record of a submission between this Alexander and William Tweedie of Wrae relative to an accounting of the profits of the 30s. lands of Whitslade belonging to Gillies and the 10s. lands of Glenkirk belonging to Tweedie, which it was stated had been in each other's hands.<sup>3</sup> Alexander was succeeded by his son Patrick, and the family were still there in 1627, when Adam Gillies—he was the only portioner nominally from Whitslade—appeared at the weaponshaw at Peebles "well horsed, with a lance and sword." He is also referred to in 1611 in the records of the Privy Council as having wounded William Thriepland, and James Tweedie of Drumelzier became his "bondsmen" in connection with that affair.

### (3) COCKBURN'S SHARE

On 7th May, 1531, a gift was made under the Privy Seal to James Johnston, merchant, burghess of Edinburgh, of the ward of the 30s. lands of Whitslade which belonged to Adam Cockburn in property, and the 10s. lands of Glenkirk held by the said Adam in tenantry; and on 28th March, 1541, Katharine Adamson, the widow of James Johnston, obtained a decree of apprising of the £3 9s. lands of Whitslade and Glenkirk for a debt of £69 Scots.<sup>4</sup>

Elizabeth Cockburn was served on 20th November, 1582, as heir portioner to William Cockburn, her father, in the eighth part of Whitslade (15s. land) and the 10s. lands of Glenkirk. Her sister Katherine was another portioner, and she was served on 27th April, 1598. In 1632 the share belonged to William Cockburn, son of the late William Cockburn, and on 20th January of that year it was appraised for 1280 merks and 64 merks of sheriff's fee by Matthew Brisbane, writer in Edinburgh, and Margaret Row, his spouse, who had a Crown charter on 2nd April, the lands being redeemable within seven years.

<sup>1</sup> *R.M.S.* Nos. 1503 and 1504.

<sup>3</sup> *Peebles Protocols.*

<sup>2</sup> *Reg. Privy Seal.*

<sup>4</sup> *Reg. Privy Seal.*

## (4) DICKSON'S SHARE

In 1555 Janet Dickson, referred to as lady of one part of the lands of Whitslade (she was also lady of Glenrath, p. 596), appointed procurators to resign that part, being a 20s. land in the hands of the Crown, for infeftment to her son, Thomas Tait.<sup>1</sup> And on 2nd December, 1560, she and her husband, William Tait, obliged themselves to sell their 15s. lands of Whitslade to Janet Baird and Charles Geddes, her son, for 112 merks, but on 21st December, as the price was not forthcoming, the bargain was cancelled, although James Geddes appeared for Charles and offered a certain sum.<sup>2</sup> In July of the following year Janet Dickson, then designed as spouse of William Tait in Fairnielie, granted a procuration for the resignation of their 15s. lands to Adam Ros, the price to be 140 merks. But this bargain she also cancelled, going to the Cross of Peebles for that purpose. Adam Ros, then styled indweller in Meirburn (Muirburn), in the parish of Stobo, protested, and consigned in the hands of James Tweedie, bailie of Peebles, 125 merks, which he said was the sum due in terms of the contract.<sup>3</sup>

## (5) INGLIS'S SHARE

No further reference has been traced to the share of Christian Inglis.

## OTHER PORTIONERS OF WHITSLADE

## (a) TWEEDIE OF KIRKHALL AND WRAE

James Tweedie of "Quhitislaid" is referred to in 1511 as a witness at Peebles.<sup>4</sup> On 31st July, 1550, William Tweedie of Kirkhall was served heir to his brother, James Tweedie, in the 30s. lands of Whitslade and 10s. land of Glenkirk.<sup>5</sup> The previous year James Tweedie had been fined for absenting himself from the courts of the shire, and William Kid, officer and King's sergeant, went to Whitslade on 22nd December to distrain and poind the lands for the fines. He took twelve cows and led them to the ford of Broughton "without impediment of any person," but there Alexander Weir in Drumelzier "violently took the said poulds from the said William and despoiled him thereof." The officer thereupon declared himself deforced, and in token thereof broke his wand (*virgam*), which he carried in his hand.<sup>6</sup> In 1600, on the resignation of William Tweedie, elder of Wrae, a Crown charter was granted to William Tweedie, younger of Wrae, and Mary Baillie, his spouse, of the same lands—called half of a quarter of Whitslade and Glenkirk—and also the lands of Wrae. William Tweedie and Mary Baillie resigned their lands in 1637 to their son William and his wife, Agnes Tweedie, and this was followed by a Crown charter.

<sup>1</sup> *Peebles Protocols*.<sup>2</sup> *Ibid.*<sup>3</sup> *Ibid.*<sup>4</sup> *Yester Writs*.<sup>5</sup> *Peebles Retours*, No. 4.<sup>6</sup> *Peebles Protocols*.



## (b) GEDDES OF RACHAN

This family held a 15s. part of Whitslade, which was confirmed to Charles Geddes by King James V. in 1537 (p. 282), and in 1625 his grandson Charles was served as heir therein.

## THE WHOLE PROPERTY

About 1635 Sir David Murray of Stanhope began to buy up the lands from the portioners. In that year he acquired from James Geddes of Rachan the 15s. lands which he held, and although this is the only purchase definitely traced, he had before his death apparently purchased the whole property.<sup>1</sup> On 28th April, 1654, William Murray of Stanhope was served heir of his brother, John Murray, eldest son of Sir David Murray, in (1) the half lands of Whitslade and Heughbrae ; (2) the half of the 30s. lands of Whitslade called the half of the quarter or the eighth part of the whole lands ; (3) the other half of the 30s. lands ; and (4) the 15s. lands of Whitslade. In later descriptions, *e.g.* 1766 and 1897, it is stated that these four shares had belonged respectively to Thomas Porteous of Glenkirk, William Cockburn, James Reid of Pitlathie, and James Geddes of Rachan.<sup>2</sup> Sir William Murray had also a Crown charter of these lands on 24th May, 1671, and in 1681 there is a sasine given to him of the half of a quarter of Whitslade.<sup>3</sup>

## DICKSON OF WHITSLADE

Whitslade is said to have been purchased by John Dickson of Hartree (Lord Hartree) prior to his death in 1653, but it is more probable that it was acquired by his second surviving son, Mr. John Dickson, who is not designated of Whitslade until 1668, and whose infeftment in the lands did not take place till 20th June, 1670. He had a charter of the lands on 15th August, 1679. Mr. John died before March, 1684. His son, John, in December, 1692, witnessed the contract of marriage of John Dickson of Hartree, to whom his father had been tutor, and in July, 1695, was included in the entail of the Hartree estate, in case of failure of the entailer's brother.

His eldest son, John, succeeded to Whitslade, and was in 1719 and 1728 served heir to his two aunts, Margaret and Elizabeth. In 1752 his eldest son, John, was in turn served as heir to him, and he had sons, John and William, the latter of whom, his brother having died without

<sup>1</sup> Assuming Whitslade was a £6 land, the later descriptions leave one-eighth unaccounted for.

<sup>2</sup> There is no reference here to the shares which had been held by Gillies and Tweedie ; James Reid of Pitlathie must have acquired a part, and the remainder may have been absorbed by the other portioners.

<sup>3</sup> This may be the eighth part which is omitted from the later descriptions of the property. But the rest of Whitslade had been sold by this time to the Dicksons.



leaving issue, was in 1768 served heir to his great-grandfather, Mr. John Dickson, as having been last infest in the lands. About the same time, on 3rd July 1766, John Dickson of Kilbucho was served heir to his father, William Dickson of Kilbucho, in the same lands, of which the *Retour* states his father had sasine on 7th January, 1766, on a Crown charter of adjudication dated 12th February, 1765, showing that Whitslade had fallen in debt to Kilbucho.<sup>1</sup>

The Dicksons of Kilbucho were thus practically in possession of the lands, and the Rev. David Dickson served himself heir to his father, William, in them in 1770. They were, however, sold by William Dickson of Whitslade in 1769 to his cousin, Dr. Michael Dickson of Taunton, Somerset, for £2500, and in 1775 William Dickson obtained a decree of reduction against the Rev. David Dickson and other creditors.

#### TWEEDIE OF WHITSLADE AND QUARTER

In 1777 Dr. Michael Dickson's son, William, sold Whitslade to Alexander Tweedie of Quarter, who in 1778 obtained a decree of adjudication against David Dickson of Kilbucho, and a Crown charter of Whitslade and Heughbrae was granted to his son, Thomas, in 1803. Thereafter Whitslade shares the story of Quarter.

The present dwelling-house, which has been greatly improved within recent years, is beautifully situated on the shoulder of Whitslade hill, and commands an extensive view across the valley of the Tweed. Near the house are the remains of the old peel tower.

#### WRAE

The earliest reference to these lands, which adjoin Mossfennan on the north, is on 8th October, 1451, when they were conveyed by William, Earl of Douglas, to Robert of Glenquhym.<sup>2</sup>

The property consists of two farms—Wrae and Coomlees—and on the former are the ruins of an old tower. During the sixteenth and first half of the seventeenth century the lands were owned by a branch of the Tweedie family, but when it was acquired has not been ascertained.

#### TWEEDIE OF WRAE

James Tweedie of Wrae is referred to in 1529 in connection with the Fleming-Tweedie feud.<sup>3</sup> In 1563 William Tweedie of Wrae had the arbitration with Alexander Gillies already referred to anent their lands of Whitslade and Glenkirk. He also held the Kirklands of Glenholm, called Kirkhall (p. 298). In 1593 he and his three sons, William, Adam, and James, obtained protection of lawburrows against Geddes of Rachan. He married Marjory de Glenquhyme (Glenholm), and in 1600 they resigned the lands in favour of their eldest son,

<sup>1</sup> *Hartree Papers*.

<sup>2</sup> *R.M.S.* 1424-1513, No. 481.

<sup>3</sup> *Tweedie Family*, p. 29.

William, and Mary Baillie, his spouse. In 1602 William Tweedie signed at Peebles the general bond against the Border raiders, and seems to have died about 1610. His eldest son, William Tweedie of Wrae, succeeded, and in 1618 was served heir to his father in the Kirklands of Glenholm and half of Burnetland. In 1619 there was a complaint to the Privy Council against him and his son, William, who is described as in Netherurd, that for the last six years they had

“borne and worne hagbuttis and pistolettis upon thair personis . . . and usis the same alsweill for thair privat revenge as for the slaughter of wyld foull and venniesoun, quhairof they have made a grit destruction,”

and for this they were fined £20. This son, William Tweedie, younger of Wrae, was present in 1627 at the weaponshaw in Peebles, “horsit, with ane horseman, baith with lance and sword.”<sup>1</sup> He and his spouse, Agnes Tweedie, in 1637 had a Crown charter of Wrae, etc., on his father and mother’s resignation; and in 1641 he was served heir to his deceased father in the half of Burnetland. In 1643 and again in 1649 there are references to William Tweedie of Wrae in connection with the proceedings of the “Committees of Warr in the Shyres.” He was one of the Commissioners, and played his part in the Scottish army under Leslie, who was sent to the assistance of the English Parliament. He is mentioned in 1656 as “elder of Wrae,” when he appears as a witness at Glenholm.

MURRAY OF STANHOPE AND WRAE  
HUNTER OF POLMOOD AND WRAE  
TWEEDIE OF RACHAN AND WRAE

In 1679 Sir William Murray of Stanhope received a Crown charter of his lands, and Wrae is enumerated among them, one witness to the sasine which followed being Thomas Geddes in Wrae. After that—but the date has not been ascertained—Wrae became the property of the Hunters of Polmood<sup>2</sup> until 1847, when it was sold to Thomas Tweedie by the Hon. Walter Hunter of Polmood (Lord Forbes), who had been served heir to his brother James in 1835. It has since remained part of Rachan.

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<sup>1</sup> Other four sons are named—Harie, who is mentioned in 1611; Alexander, who was apprenticed in 1621 to Robert Lourie, tailor in Edinburgh; James, who was apprenticed in 1622 to John Pook (Pollok), younger, cordwainer there; and John, who was apprenticed in 1625 to Patrick Ellis, merchant there (*Edinburgh Apprentice Register*).

<sup>2</sup> Robert Hunter of Polmood was proprietor of Wrae during the proceedings for the division of the common of Holmshope (1730-6), and in the testament of James Geddes of Rachan in 1766 it is stated that the defunct had paid stipend to the minister of Glenholm for the Hunters since 1736.

## DUCKPOOL

This small property adjoins the lands of Wrae on the north, and lies along the west side of the highroad; it includes a small property known as the Acre. The Duckpool, the Acre and other adjoining property comprised what was known in early times as Bertram's land, and there are stories about that which, unfortunately, do not seem capable of verification. Pennecuik (1715) says nothing about the stories, and refers to the "Dukepool" as "a little small room, of a long time possessed by the name of Bertram, and still is, who pretend to be chief of that surname." Armstrong (1775) gives the tradition of his time.

"*Duckpool*, formerly an extensive property, granted by James V. to a John Bertram, in consideration of his escorting that monarch through the demesnes of Sir James Tweedie, Thane of Drumelzier; who, being informed that a stranger had passed his mansion, without paying the wonted obedience to its lordly owner, pursued the King with sixteen attendants, uniformly arrayed and mounted on white horses, to *Glenwhappen*,<sup>1</sup> where, having found the refugee among his friends assembled, he imperiously demanded corporal satisfaction for this ideal affront: but the King discovering himself, brought the proud Sir James on his knees for pardon, which was then more readily granted, than forgiven by the Thane. The present proprietor is the lineal descendant of that gift, now reduced by the more powerful lairds to little more than an acre: which, however, acknowledges no superior, tax or assessment: his name is *John Bertram*."

That is one story, but there are variants. One is that the King, in recognition of the hospitality and services of Bertram, who was a cobbler by trade, granted to him as much land as his wife, who was stoutly built and slow of foot, could walk round in a given time. While the King sat and watched—his stone seat in the garden of the Acre can still be pointed out—Bertram's wife succeeded in encircling a tract of sixteen acres, and this was duly granted, together with the right of pasturing a mare and foal, a sow and nine pigs, on ground near Holms Water.

Another and more circumstantial account tells us that the King (either James IV. or James V.) in disguise came upon Bertram while he was tending his cows and amusing himself with a tune on the bagpipes. He was hospitably entertained, and spent the night in Bertram's cottage. In the morning the King revealed his identity, and promised Bertram a grant of lands adjoining his house, with the pool in the centre—these lands to be called Drone instead of Duckpool in memory of the tunes of the bagpipes—and as much ground at the

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<sup>1</sup> The hill at the head of Holms Water and Kingledoors burn is called Glenwhappen Rig.



THOMAS STEVENSON TWEEDIE OF RACHAN  
(1784-1855)

As a young man, *circa* 1804



JAMES TWEEDIE OF RACHAN  
(*circa* 1865)





foot of Holms Water as would keep the mare and foal, sow and pigs, but they were to be driven no faster "than a woman could walk knitting a sock or spinning with a distaff." Bertram was also to have five souns on the common of Holmshope. Thereafter Bertram accompanied the King on his way to Badlieu. They passed Drum-elziez Castle, and did not stop to render tribute, and Tweedie in great wrath set out in pursuit. They were overtaken at the march between Badlieu and Glenbreck, and the pool in the river at that spot was, according to the writer (Rev. Hamilton Paul) of the second *Statistical Account* (1834), still called in his day the Drone pool. The King sounded his bugle, and in a few minutes four and twenty belted knights came to his assistance. Tweedie was completely discomfited, and in the trial which followed in Edinburgh, Bertram was given the place of honour.<sup>1</sup>

These are the stories, and all that need be said about them is that there is no evidence whatever that Bertram's land was originally a Crown holding, and that the later titles, which are extant, show that the superiors of the land were the proprietors of Rachan. There are one or two early references. In 1541, in a charter by Malcolm, Lord Fleming, and his wife, Janet Stewart, to their son John, it is stated that one of the part occupiers of the 50s. lands of Rachan was John Bertram; on 23rd July, 1564, James Bertram of "Dukepule," in implement of the contract of marriage of his son John with Helen "Tailzefer" (Telfer), gave sasine to them of one-third of the Duckpool, otherwise Bertram's lands, and the house occupied by Thomas Porteous, weaver;<sup>2</sup> and in 1564 (30th August) Mariota Geddes, designed as lady of the third of "Dukpule" *alias* Bertramland, renounced it in favour of the said John Bertram and Helen Telfer, his wife, but under reservation of one rig in the Nuke.<sup>3</sup>

William Bertram of Duckpool petitioned in 1730, along with the other proprietors in the parish, for a share of the common of Holmshope. No share was given to him, and the reason is significant—no titles were produced.

The next reference is not till 1793, when William Bertram conveyed "the third part of Bertramland or Duckpuill"—there is no trace of any of the writs of the remaining two-thirds—to John Bertram and Agnes Seton, his wife. John Bertram's son, also called John, was a writer in Edinburgh, and against him Christian Seton, residing at Huntley, near Linlithgow, obtained in 1804 a decree of adjudication, in virtue of which the property was declared to belong to her in satisfaction of a loan by her to John Bertram's father of £323 and expenses. To Christian Seton her only brother, Robert, was served as heir in 1814, and he was succeeded by his only surviving sister, Margaret (wife of James Thomas, rector of Grammar School, Linlithgow), who

<sup>1</sup> Second *Statistical Account*. Chalmers: *Caledonia*, vol. ii. p. 918. *Tweedie Family*, p. 31.

<sup>2</sup> *Peebles Protocols*.

<sup>3</sup> *Ibid*.

was served as heir in 1839. She sold Duckpool in 1840 to John Fowler, residing at Rachan gate, and he in 1848 sold it to John Tweedie,<sup>1</sup> tenant of Patervan, who in 1850 conveyed it to his brother, Thomas Tweedie of Rachan.

#### KIRKHALL

These were the churchlands of the parish, and carried with them the pasturage of thirty souns in the Common. After the Reformation they fell into the hands of the Crown, and on 12th November, 1602, King James VI. granted them in feu to William Tweedie of Wrae. It is stated in the charter that the lands belonged some time to the parson of the parish church, and had been possessed by William Tweedie and his predecessors as native tenants and feu-farmers beyond the memory of man.<sup>2</sup> The feu-duty was fixed by the charter at 46s. 8d. of old feu farm and 12d. of augmentation.

The lands remained with the Tweedies till about 1650, after which they passed to the Murrays of Cardon, and later to the Murrays of Stanhope. James Geddes of Rachan acquired them from Alexander Murray, younger of Stanhope, in 1722,<sup>3</sup> along with the privilege which pertained to the property of as much limestone of the lands of Wrae as could be burned with forty ordinary loads of coal.

Kirkhall has since remained part of the Rachan estate.

#### CARDON, CHAPELGILL, GLENKIRK, Etc.

This extensive hill farm (about 2500 acres) belonging to Sir Douglas Arthur Bradley Naesmyth, Baronet, of whose family an account is given in the chapter on the parish of Manor (p. 563), lies to the south of the lands of Rachan, extends from Holmsmill up the east side of Holms Water to Glenholm churchyard, from there up both banks of the water to Glenhigton, and from there up the west side of the water to the county boundary. The property is bounded on the west by a high range of hills with smooth, sweeping outlines—Chapelgill, Cardon, and Coulter Fell—and on the east and south-west by Mossfennan and Glencotho.

The component parts of the property will be dealt with separately.

<sup>1</sup> He lived for a time in Rachan Cottage, as it was then called, now Merlindale.

<sup>2</sup> *R.M.S.* 1593-1608, No. 1364. William Tweedie in 1588 granted an annual rent from Kirkhall to William Penman.

<sup>3</sup> The disposition, which is dated 12th March, was produced in 1730 by James Geddes in supporting his claim to a share of the common of Holmshope.

## (I) CARDON

This part lies on both sides of Holms Water, and contains about 1000 acres. It includes not only Cardon itself, but the properties of Smellhope and Uriesland, and part of Glenhigton and Glencotho.

## (a) CARDON

BOWMAKER<sup>1</sup> OF CARDON

This property lies on the west side of Holms Water between Chapelgill and Quarter. The first known possessor was James Bowmaker of Cardon, who is referred to on 14th August, 1439, as a witness at Mossfennan.<sup>2</sup> In 1467 James Tweedie of Cardon<sup>3</sup> is mentioned, and he may have held a wadset over the lands. The Bowmakers, however, continued in Cardon for some time. James Bowmaker had a wadset for 100 merks in 1534 from Malcolm, Lord Fleming, over Glenhigton and Glencotho.<sup>4</sup> He is referred to again in 1537,<sup>5</sup> and John Bowmaker, perhaps his son, in 1556.<sup>6</sup> This John married Margaret Menzies, daughter of Edward Menzies of Castlehill, and on 10th December, 1557, gave her a liferent of one-half of Cardon.<sup>7</sup> On 20th June, 1562, he granted to Leonard Marshall in Kilbucho an annual rent of £10, secured over a half-quarter.<sup>8</sup> He was succeeded by his brother Patrick, who on 2nd November, 1576, had sasine in Cardon from the superiors at that time, Archibald Baillie of Auldstoun and Robert Crichton of Quarter,<sup>9</sup> under reservation of the liferent of his brother's widow, Margaret Menzies.<sup>10</sup> On 10th October, 1577, Patrick Bowmaker gave sasine to—the name is blank in the entry, but the heading is—James Fleming of Bord: that was probably on wadset,<sup>11</sup> and the following year Patrick granted an annual rent of £10 from Cardon to David Welsh.<sup>12</sup> He is referred to again as a witness in 1584 and 1586, and in 1588 he granted a charter

<sup>1</sup> This family took their surname from their trade; they were makers of bows.

<sup>2</sup> Wigtown Charters.

<sup>3</sup> Yester Writs.

<sup>4</sup> Wigtown Charters.

<sup>5</sup> Peebles Protocols.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*

<sup>9</sup> Malcolm, third Lord Fleming, acquired the superiority of Cardon in 1534 from John Dickson of Ormiston, who had apprised it from William Govan (Wigtown Charters). In 1569 the estates of John, fifth Lord Fleming, were forfeited, and as one of the results of that, Archibald Baillie of Hillis was infeft on a Crown charter in 1573 in one-half of Quarter, Chapelgill, and Cardon. The other half was already held by the Crichtons (p. 288). The Fleming estates were restored in 1579 to John, sixth Lord Fleming. Archibald Baillie in 1588 granted his superiority of Cardon to his daughter, Jean, and the family continued their connection—only a nominal one—with Glenholm till 1637 (p. 288).

<sup>10</sup> *Reg. Ho. Protocols.*

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

of Cardon to James Fleming, natural son of John Fleming, Captain of Biggar, who was infeft therein on 15th July.<sup>1</sup> George Bowmaker of Cardon, probably a son, is called "of Cardon" in 1590,<sup>2</sup> but he was the last of the Bowmakers there.

#### FLEMING OF CARDON

John Fleming on the same day that he was infeft, as above, gave sasine in the lands to John, sixth Lord Fleming, afterwards Earl of Wigtown,<sup>3</sup> but this was probably only in security of a loan, as Malcolm Fleming of Cardon is referred to in 1604 and again in 1618.<sup>4</sup> His son Malcolm married Beatrix Douglas, sister of William Douglas, fiar of Cavers, and she received an annual rent of 600 merks from Cardon in 1620.<sup>5</sup> The lands were afterwards let on lease to Thomas Chisholm, elder, some time in Stanhope. That lease expired at Whitsunday, 1633, and a lease for fifteen years was then granted to David Murray.<sup>6</sup>

#### MARTIN OF CARDON

Another family, of the name of Martin, appear for a few years with the designation "of Cardon." On 24th February, 1605, James "Mertene," apparent of Cardon, is a witness at Edinburgh,<sup>7</sup> and on 25th July, 1608, George Porteous of Hawkshaw is a cautioner for George Martin of Cardon, and Thomas and Andrew, his sons, that they will answer to the Privy Council for sending cartels (*i.e.* challenges to fight) to Patrick, Lord Sinclair, and others. After that no further reference has been traced to the Martins, and it may be assumed that their share of the lands came into the possession of the Flemings.

#### (b) SMELLHOPE AND URIESLAND

Smellhope or Smailhope, a 40s. land, was situated apparently on the west side of Holms Water, adjoining Quarter. The superiority was held by the Geddesses of Rachan from about 1500 to at least 1627. Uriesland, also a 40s. land, is now known as Holmsmill. In the beginning of the sixteenth century both belonged in property to Katherine Fraser of Fruid, but how long her family had held them there is no record to show. After the murder of John, second Lord Fleming, in 1524 at the hands of the Tweedies (p. 425), she married James Tweedie, and in 1531 was required to infeft Malcolm, third Lord Fleming, in her lands in Glenholm—Mossfennan, Smellhope, and Uriesland.

#### (c) PART OF GLENCOTHO AND GLENHIGTON

These two properties lie on the east side of Holms Water. Like other lands in Glenholm, they were held in portions by different proprietors, and with the evidence available it is not possible to give any-

<sup>1</sup> *Reg. Ho. Protocols.*

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Part. Reg. Sas.*

<sup>5</sup> *Ibid.*

<sup>6</sup> Burgh Court Books.

<sup>7</sup> Barns Papers.



thing in the nature of a complete or connected account of them. Glencotho will be dealt with later (p. 309). Part of Glenhigton, as we have seen—a 20s. land—was held by the Geddesses of Rachan (p. 282). Malcolm, third Lord Fleming, acquired a part of both lands, and his son John had right in 1541 to the 50s. land of "Glenhigden" and "Glencuquo."

(d) CARDON, SMELLHOPE, AND URIESLAND, ETC.

At the weaponshaw of 1627 no proprietor appeared designated of these lands, but James Chisholm in Glenholm was present on behalf of the Earl of Wigtown, "well horsed himself, accompanied with seven horsemen with lances and swords, dwelling on the said noble Earl his lands lying in the parish of Glenholm." It may be inferred from that entry that the Fleming family were then in possession of the whole property.

MURRAY OF CARDON, ETC.

In August, 1656, John, eighth Lord Fleming and third Earl of Wigtown, sold the lands, together with pasturage rights in the common of Holmshope, to Adam Murray, brother of Sir David Murray of Stanhope. The price paid was 20,000 merks; the superiority was reserved, and also a small piece of ground possessed by William Grieve,<sup>1</sup> miller. At the same time Adam Murray had also a charter from King Charles I., and in 1659 another charter from Richard Cromwell. He married Jean Fleming,<sup>2</sup> daughter of Malcolm, third son of John, sixth Lord Fleming and first Earl of Wigtown, and died in 1669, succeeded by his son William. He had also three daughters—Helen, who married Alexander Bertram; Margaret, who married Thomas Edgar, apothecary, burgess of Edinburgh; and Jane, to whom her other sisters were served as heirs portioners in 1692.

William Murray of Cardon was served as heir to his father on 1st April, 1675, and received a precept of *clare constat* from William, fifth Earl of Wigtown. He married Christian Veitch of the Dawyck family, and died in 1686, succeeded by his son Adam.

Adam Murray of Cardon was served as his father's heir on 13th May, 1687, and again on 29th April, 1690, the services including Wester Smellhope, part of Uriesland, one-fourth of Rachan, the lands of Cardon, and part of Glenhigton and Glencotho. He was only fourteen in 1690, and accordingly curators were appointed, one of whom was Mr. John Veitch of Dawyck. He married Janet Menzies, and along

<sup>1</sup> In 1668 Margaret Tweedie, one of Adam Murray's servants, was accused of murdering her child immediately after birth. She was imprisoned in the Steeple of Peebles, and William Grieve undertook to pay her expenses while awaiting trial.

<sup>2</sup> William Murray, her son, was served as her heir in 1685, and to her sisters, Helen and Mary (who married John Graham, Clerk of Chancery), her grandson, Adam, was served heir in 1688.

with her in 1698 granted to James Williamson of Cardrona an annual rent of £140—the interest of 3500 merks—secured over Cardon, Smellhope, and Uriesland. In 1703 he sold the whole property (excluding the portion of Rachan, but including the small portion of Cardon which had belonged to William Grieve, and which the Murrays had acquired) for 30,000 merks to Captain George Douglas, brother of James, Earl of Morton. This sale carried thirlage rights for Holmsmill (or Uriesland) over the lands of Stanhope, and also over the fourth part of Rachan, which it was stated pertained to Sir William Murray of Stanhope and his son David.

#### THE NAESMYTHS

George Douglas did not purchase the property for himself, but for Mr. James Naesmyth of Dawyck, and to him it was immediately transferred. Cardon<sup>1</sup> and the other lands thereafter remained with the Naesmyths.

The superiority was sold in 1753 by the trustees of John, sixth Earl of Wigtown, to Major Thomas Cochrane (p. 63), who the same year sold it to Andrew Pringle, advocate, in liferent, and Robert Naesmyth, son of the deceased Sir James Naesmyth of Posso, in fee. Robert Naesmyth was succeeded in 1775 by his brother, Sir James Naesmyth of Posso, and thereafter the lands were held direct of the Crown. According to a division of the valued rent in 1753, Cardon itself is stated to be one-half of the whole, from which it would appear to have been at least a £6 land of old extent.

#### (2) GLENKIRK ( $\frac{3}{4}$ ) AND CHAPELGILL

The lands of Chapelgill lie south of Cardon, and Glenkirk at the head of Holms Water lies south of Chapelgill. These lands together extend to about 1400 acres.

#### PORTEOUS OF GLENKIRK

Apart from the proprietors of the barony of Glenholm (p. 272), the earliest recorded owner of the lands of Glenkirk was John "Pertus" (Porteous) in 1443, who also owned lands in Edinburgh and in Fife. He may have been the founder of the family of that name who owned lands in Glenholm for almost three centuries, and who were no doubt connected with the family of Porteous of Hawkshaw (p. 396).

William Porteous of Glenkirk, doubtless the son of John, granted Mossfennan and Logan (or the Logan part of Mossfennan) in 1449 to William Brown of Hartree (p. 278), and he is mentioned in 1573 as having lands in Edinburgh.<sup>2</sup>

<sup>1</sup> William Welsh was tenant of Cardon in 1798, Robert Welsh in 1824, and after him James Tweedie.

<sup>2</sup> R.M.S.

In 1478 and 1484 there are references to George Porteous of Glenkirk,<sup>1</sup> who, it may be assumed, was the son of William, and in 1482 this George, styled also portioner of Balcasky (Fifeshire), acquired from William Strang, portioner of Whitlade and Glenkirk, his quarter of these lands, for which he gave him in exchange his quarter of the lands of Balcasky.<sup>2</sup> As Porteous had already part of Glenkirk, probably a quarter, this transaction would place him in possession of at least the half—that is a 20s. land, as Glenkirk was a 40s. land.

In 1513 the laird of Glenkirk was John Porteous, who again, it may be assumed, was son of George, and in that year he had restored to him by King James IV. the lands of Glenkirk and Whitlade, which had been recognosced to the Crown for alienation without consent, and in the charter they were made part of the tenandry of Whitlade.<sup>3</sup>

John Porteous was succeeded by his son William, and he, on 9th July, 1527, sold to Malcolm, Lord Fleming, the superiority of Logan, Mossfennan, Quarter and Chapelgill, which was also part of the tenandry of Whitlade, a charter of the £5 lands of Quarter following on 22nd February, 1527-8. William was mixed up with the Tweedies in the affair of Katherine Fraser (p. 404), and in the decree of the Court of Session relating thereto in 1530 reference is made to an agreement between Malcolm, Lord Fleming, and the lairds of Glenkirk and Polmood as to the satisfaction to be given by them.<sup>4</sup> As a dependant of Lord Fleming, William Porteous was taken under the King's protection when Lord Fleming was sent to France in 1536 in connection with the King's marriage.<sup>5</sup> On 31st October, 1550, he was a witness to the installation of Sir William Porteous as chaplain at the church of St. Bege of Kilbucho,<sup>6</sup> and he was alive in 1566, as his son John was still "younger of Glenkirk" in that year.

John Porteous married in 1544 Christian, daughter of James Muirhead of Lauchope, when they were infest by William Porteous of Glenkirk in the £6 lands of Whitlade.<sup>7</sup> He is often in evidence as a witness, and on one occasion makes a protest on behalf of his sister Janet, who in 1562 is mentioned as the widow of John Lowis.

After 1566 no reference to the Porteouses of Glenkirk has been found until 1586, when, on 1st December, Alexander Baillie of Auld-stoun, younger, gave a sasine to his promised spouse, Isabel Ker, widow of Alexander Porteous of Glenkirk. The presumption is that Alexander was the son of John, younger, and that all three were by this time dead.

Alexander Porteous must have died a very young man, as his son Thomas was not served<sup>8</sup> heir to him until 17th April, 1600. It should

<sup>1</sup> *Origines*, i. p. 81.

<sup>2</sup> *Reg. Mag. Sig.*

<sup>3</sup> *Ibid.*

<sup>4</sup> Wigtown Papers.

<sup>5</sup> *Reg. Privy Seal.*

<sup>6</sup> *Peebles Protocols.*

<sup>7</sup> *R. M. S.*

<sup>8</sup> In the lands of Glenkirk and Whitlade, with their pendicles of Glencotho, Glenhigton, and Rachan (*Peebles Retours*, No. 17).

be noted here that Thomas was served heir in the 30s. lands of Glenkirk, which shows that an additional 10s. land had been acquired, and that the Porteous family were then in possession of three-fourths of the property.<sup>1</sup>

Alexander Porteous had a brother David, mentioned as on the fugitive roll in 1605, and he had also two other sons :—

Andrew, mentioned as a cautioner in 1623, and

William, who was in Stewarton, and in 1630 had a Crown charter of apprising of the lands of his brother Thomas at the same time that James Tweedie of Drumelzier obtained a similar charter of them, the former being for a debt of 1460 merks and the latter for a debt of 4600 merks.

This Thomas Porteous in 1590 was implicated in the murder of Patrick Veitch by the Tweedies (p. 429), and in 1602 was concerned, along with his relative, Thomas Porteous of Hawkshaw, in the murder of George Hunter, brother of the laird of Polmood. For the latter crime he was called before the Presbytery. He proved difficult to deal with, and time and again failed to appear, pleading illness as an excuse. His minister in August, 1605, reported that he was " inclosed through suspicion of the pest," and further proceedings were delayed. The upshot is not recorded. He also incurred kirk censure for " resetting " and fostering James Fraser,<sup>2</sup> a parishioner of Glenholm, who had been giving a lot of trouble. Both were before the Presbytery at Peebles on 21st June, 1621, but neither showed any signs of repentance : Fraser was put in prison till he satisfied the " Discipline of the Kirk," and the " first admonition " was given to Porteous. The Presbytery were still dealing with Thomas Porteous in December, 1623, when it was reported that he could not come to Peebles " for fear of apprehension, being at the King's horn," showing that he had other troubles to contend with. The case was finally settled, Porteous signing a bond for a " great sum of money " in security of his future good behaviour.

Thomas Porteous seems to have been unable to free himself from debt, as in 1634, with consent of his son Alexander, he made over Glencotho, Glenhigton and Rachan<sup>3</sup> to James Geddes of Rachan, with the lands of Glenkirk in warrandice. At the same time, in June, 1634,

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<sup>1</sup> In 1531 there is mention of a 10s. land of Glenkirk which had been in the possession of Adam Cockburn as a tenandry of Whitslade and had fallen into the hands of the Crown through his death (see p. 291 for further information). The Tweedies of Kirkhall apparently acquired right to it (p. 292) in 1550, but after that it is referred to in the titles of both families. This is confusing, but it would appear that by 1600 the land had been acquired by the Porteouses.

<sup>2</sup> This is probably the same man whom Charles Geddes of Rachan was accused of harbouring (p. 284). Fraser's offences other than that of " disobedience to the Kirk " are not disclosed.

<sup>3</sup> *i.e.* the portions of these lands attached to Glenkirk and Whitslade.



Sir David Murray of Stanhope had a Crown charter of the 10s. lands of Glenkirk and half of Quarter, which had been resigned by Thomas Porteous of Glenkirk and William Porteous in Stewarton, his brother.<sup>1</sup> Sir David Murray seems also to have had designs on Whit-slade (p. 293), for about 1635 Alexander Porteous, fiar of Glenkirk, hearing that Sir David had passed a signature in Exchequer for a charter of Whit-slade to himself, applied to the Privy Council for a protection against his creditors to enable him to go to Edinburgh and resist Murray's claim, as the lands belonged to him. Thomas died in January, 1639, and his son Alexander must also have died before 23rd April, 1646, when Jean and Isabella Porteous were served heirs portioners to their father, Thomas, in the 20s. lands of Glenkirk. There was another daughter, Margaret, who had married William Geddes of Glencotho, and she having died, her son, William Geddes, was also served heir portioner to Thomas.<sup>2</sup> There was still another, the youngest daughter, Elspeth, who had married William Porteous in Nether Menzion, and at the serving of the other heirs portioners he appeared in her right and claimed service, but in respect that they had taken out no briefs and done no diligence, the claim was refused.<sup>3</sup>

This William Porteous, however, appears to have asserted his right, and he is found later recognised as William Porteous of Glenkirk, and in 1653 was in the lands, probably only as tenant. It looks as if a feud had arisen over the succession, as on 20th October, 1663, William Porteous complained to the Privy Council that William Geddes, indweller there, had on the 14th of that month assaulted him, and with a pistol which Porteous carried for his own defence, shot Patrick Porteous, his servant, through the head and killed him, his intention having been to kill the complainer. The case was heard in the following December, and Porteous was fined 500 merks for carrying forbidden weapons, and ordained to find caution in 5000 merks to underlie the law for the said slaughter. He paid his fine, found William Tweedie, regent in the College of Edinburgh, and William Brown, agent for the Burghs, cautioners for his compearance, and was released. Not so Geddes, who, still in prison in April, 1664, petitions for similar release on caution. He represents that on the occasion of the assault he had nothing to defend himself with but an ordinary walking staff, whereas Porteous was armed with a pitchfork, and being a stronger man, beat him and threw him thrice to the ground. He is but a poor labouring man, with a wife and seven young children depending on him. The Council reduced his caution to £1000, and ordered him to remove from the shire of Tweeddale the distance of twenty miles from the place where he last resided, and keep the peace towards William Porteous. He was not able, however, to find cautioners for this amount, and remained in prison until August, when the Lords

<sup>1</sup> Thomas had in 1623 wadset certain of his lands to his brother.

<sup>2</sup> This would be in the remaining 10s. land.

<sup>3</sup> Sheriff Court Books.

reduced it further to £500 and the distance of his removal to five miles, and James Geddes of Kirkurd became his cautioner.<sup>1</sup>

William Porteous of Glenkirk had a son, John Porteous of Glenkirk, who seems to have been infest, but he predeceased his father, and on 2nd January, 1674,<sup>2</sup> his sisters, Jean, Elizabeth, Isabella and Margaret, were served heirs portioners to him in the half (20s.) lands of Glenkirk. William died in December, 1684, and in 1685 his widow, Elspeth Porteous, produced in the Sheriff Court two charters granted to her husband on 24th May, 1671, and 27th January, 1679. Of William's daughters, Jean was dead in 1693; Isabella had married Patrick Langton of Earlshaugh, and she also was dead in that year, leaving a son and heir, William. He and his aunts, Elizabeth (who married Neil Ewart of Sailfoot) and Margaret, were in 1693 served heirs portioners to William Porteous of Glenkirk and to his daughter Jean. This gave them each one-third.

William Langton wadset his third for 8000 merks to James Williamson of Cardrona in 1698.<sup>3</sup>

Margaret married a William Porteous, and died on 13th March, 1701, succeeded by her eldest son John, who was served as her heir in 1703. He also acquired the shares of his aunt Elizabeth, and of William Langton; and in 1704 had a Crown charter of (1) one-half of Glenkirk, extending to a 20s. land, and (2) a 10s. land of Glenkirk—in all a 30s. land, or three-fourths of the whole.

With regard to Chapelgill, there are practically no early references to the lands themselves, but we know with certainty that the superiority was held from 1527 by the Flemings on a grant from William Porteous. It is generally associated with the lands of Quarter and Cardon, and sometimes with those of Glenkirk, and it is quite likely that the Porteous family retained the right of property, for we find in 1703 that John Porteous, the eldest son of Margaret and William Porteous, was served heir to his mother not only in her share of Glenkirk (which has just been referred to), but also in her share of the lands of Chapelgill. Following on that, in 1705 he had a precept of *clare constat* from the Earl of Wigtown as his mother's heir in one-third of Chapelgill, and his father, William, the same year had a charter from the Earl of the remaining two-thirds, which no doubt had previously belonged to his wife's sisters, Elizabeth and Isabella Porteous.

Shortly after this, Sir James Naesmyth of Posso acquired right to certain debts affecting Glenkirk and Chapelgill, and after executing diligence by pointing of the ground, he entered into possession in 1717. In 1718 a process of sale was brought at his instance, but was allowed to sleep. His family, however, continued in possession without a formal title, and claimed and obtained in 1736 (p. 284) the share of the common of Holmshope falling of the portion of Glenkirk held, extending to 238 acres, 2 roods, 5½ falls. In 1774 an action was raised by the representatives of the last Porteous calling on the Naesmyths to

<sup>1</sup> *Reg. Priv. Con.*

<sup>2</sup> Sheriff Court Books.

<sup>3</sup> *Part. Reg. Sas.*

account for their intromissions. A long litigation followed, and it was finally settled that a title should be made up by the descendants of John Porteous and the property thereafter exposed for sale.

John Porteous<sup>1</sup> died unmarried, leaving two sisters, Janet and Elizabeth. Janet also died unmarried, and Elizabeth married John Aitken, writer in Queensferry. She had two sons, William Aitken, a smith at Society, Hopetoun, and Robert. William's eldest son, John, became huntsman to the Earl of Hopetoun, and he was served in 1797 as heir to John Porteous, his grand uncle.<sup>2</sup> To William Aitken, Charles, his only surviving son, was served as heir in 1811, and he had a precept of *clare constat* in that year from William Welsh of Mossfennan, the superior. Thereafter Glenkirk (three-fourths of it) and Chapelgill were exposed for sale and purchased by Sir James Naesmyth of Posso in March, 1813, for £3700, the disposition being granted by John Aitken's children, viz. :—Charles Aitken; Sophia, relict of John Maxwell in South Queensferry; Barbara; Agnes, wife of John Thomson, tenant in the Hill of Dollar, Clackmannan; and Elizabeth.

### (3) GLENKIRK (§)

This share, which included part of the original lands of Glencotho, Glenhigton,<sup>3</sup> and Rachan, is described as belonging "of old" to Thomas Porteous of Glenkirk. It was acquired by the Geddes family, and is included in the Crown charter of 1537 to Charles Geddes (p. 282). In 1752 it passed with Rachan to John Carmichael; in 1765 to James Loch, by whose family it was held till 1804, when John and William Loch sold it for £500 to Sir James Naesmyth of Posso. The share of the common of Holmshope applicable to this part of Glenkirk was fixed in 1736 at 25 acres, 1 rood and 32 falls (p. 284).

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<sup>1</sup> He was alive in 1735, when his factor, Robert Hunter of Polmood, sent a warning to George and James Deans to remove from Glenkirk and Chapelgill. The Deans, doubtless, would be occupying the lands as tenants of the Naesmyths. They continued to occupy Glenkirk and Chapelgill, and that family were tenants of these lands till the nineteenth century. James Deans married Helen Kellie, daughter of Mr. Simon Kellie, minister of Glenholm (p. 340), and in virtue of that marriage was made a burgess of Glasgow in 1754. His son, George, was made a burgess of Peebles in 1779. Their descendant, Mr. George Deans Ritchie, was tenant of the lands, and still lives in the parish. His house, called Chapelgill, which he built, adjoins the dwelling-house of Whitslade.

<sup>2</sup> This service was in portions of Glenkirk.

<sup>3</sup> What the original extent of Glenhigton was it is not possible to say. Part of it, a 20s. land, was held by the Geddeses at least from 1537 (p. 282), and James Geddes, who was murdered in 1592, was styled "of Glenhigton." But part of it was also included with Cardon in the sale in 1656 by the Earl of Wigtown to Adam Murray (p. 301). Glenhigton is now reckoned as part of the Cardon and Glenkirk lands.

## (4) GLENACCA, TAYLORLEE, KIRKMEADOW, Etc.

This property,<sup>1</sup> the precise site of which is not known, but probably adjoined Holmsmill, was a pertinent of the original lands of Rachan, and is usually associated with what is called "the fourth part of Rachan." It belonged to the Murrays of Cardon (p. 301), thereafter to the Murrays of Stanhope, from whom it was purchased by James Geddes in 1712 (p. 284). It was sold in 1817 for £1000 by John and William Loch to Sir James Naesmyth: the superiority was reserved and the feu-duty was 1s.

## (5) LEESK

This was a part of the common of Holmshope, which lay at the head of Holms Water. Proceedings were taken, which lasted from 1730 to 1736, to have the common divided among the proprietors of lands in the parish. The share which fell to John Dickson of Whitslade was called the Leesk, and extended to 134 acres, 3 roods, and  $4\frac{4}{8}$  falls. It shares the story of Whitslade until 1804, when Thomas Tweedie of Rachan and Quarter, who was then the proprietor, sold it for £725 to Sir James Naesmyth of Posso.

## (6) THE WHOLE PROPERTY

## THE NAESMYTHS OF POSSO AND CARDON, Etc.

After the death of Sir James Naesmyth, Baronet, his lands in Glenholm (with the exception of Wester Smellhope, Uriesland (Holmsmill), Glenacca, Taylorlee, Kirkmeadow, etc., and Leesk) were exposed for sale in 1829 by his trustees in three lots—(1) the greater part of Cardon, extending to 706 acres, lying, with the exception of one field on the west side of Holms Water, at an upset price of £3415; (2) the remaining part of Cardon (including Glenhigton on the other side of the water), extending to 250 acres, at an upset of £1190; and (3) Chapelgill and seven-eighths of Glenkirk, in all about 1353 acres, at an upset of £5770. Lot 2 was not sold, but Lots 1 and 3 were sold (disposition dated 19th February, 1830) at the upset prices to Sir John Hay, Baronet of Smithfield and Haystoun,<sup>2</sup> by whose family they were held until 1852. In that year there was a contract of excambion between Sir Adam Hay, Baronet, and Sir John

<sup>1</sup> Taylorlee is described as on the east and west sides of the burn of Glenholm.

<sup>2</sup> See vol. ii. p. 367.



Murray Naesmyth, Baronet of Posso, whereby the latter conveyed to the former the greater part of the Leesk, and also the lands of Crookston in the parish of Peebles,<sup>1</sup> receiving in exchange the lands in Glenholm which had been sold in 1830. Since then all these Glenholm lands as specified (with the exception of the greater part of the Leesk) have remained with the Naesmyth family.

The present rental is £537 18s. 9d.

#### GLENKIRK ( $\frac{1}{8}$ )<sup>2</sup>

As we have seen, the original 40s. lands of Glenkirk were divided up, and this eighth in 1503 was the property of John Moultray of Markinch, who on 28th August of that year sold it to Patrick Gillies, burgess of Peebles, who has already been noticed in connection with Whitslade (p. 291). It passed to Alexander Gillies, evidently his son, and he appears to have lost the property for a time, but he acquired it again in 1561 by purchase from Janet Dickson, with consent of William Tait, her husband, and Thomas Tait, her son. The Gillieses<sup>3</sup> were still proprietors in 1627. Thereafter it was acquired by the Murrays of Stanhope prior to 1650, and remained with them until the forfeiture of their estates after 1745. It was acquired, along with Stanhope and Stobo, by Sir James Montgomery, and his successors held it till 1903, when Sir Basil Templer Graham Montgomery, Baronet, of Stanhope, sold it to Mr. Henry Brown Marshall of Rachan for £500. Mr. Marshall transferred the property in 1908 to his eldest son, Mr. James Rissik Marshall, advocate.

The present rental is £17 3s. 9d.

#### GLENCOTH AND LEESK

Glencoth, lying on the west side of Holms Water, was a part, not of the barony of Glenholm, but of the barony of Oliver Castle (p. 379). As such it belonged prior to 1306 to the Frasers. The Hays and the Flemings thereafter divided the barony between them, but no record remains of the method of division. Glencoth was feued prior to 1434, in which year David Hay, Lord of Yester, confirmed a grant of the lands by William Vernoure, burgess of Edinburgh, to John of Schaw, laird of Haly. Prior to 1467 the property was "recognosced" in the

<sup>1</sup> See vol. ii. p. 369.

<sup>2</sup> The share of Holmshope Common allotted to this property in 1736 was 10 acres, 3 roods, 23 $\frac{1}{4}$  falls (p. 284).

<sup>3</sup> Alexander Gillies was succeeded by his son Patrick about 1593 (*R.M.S.* 1593-1608, No. 79). He was a witness to the charter which his father had in 1561, when he was designed as a student at Peebles.

hands of the King, but was of new granted to David Hay of Yester. Three years later, Robert, Lord Fleming, held the superiority, which was acquired, along with other property, from David Hay in exchange for lands in Biggar, his son John receiving a charter from King James III. on 12th July, 1470.<sup>1</sup> But, notwithstanding that charter, on 16th June, 1512, John, Lord Hay of Yester, granted a charter of Glencotho to Archibald Dickson, on the narrative that the barony of Oliver Castle had been recognosced by the King, who had given a new grant to Lord Hay, and that Dickson had held Glencotho before the recognition.

On 30th April, 1523, there is record of a tack or lease by Patrick Dickson to John, Lord Fleming, of his 6 merk 3s. 4d. lands of Glencotho for nineteen years and periods of nineteen years thereafter for evermore, at a yearly rent of £4 3s. 4d.; that deed contains also an assignation to Lord Fleming of a reversion granted to Dickson by Walter Hunter of Polmood over Quarter and part of Glencotho.<sup>2</sup> Two years later, on 24th November, 1525, Walter Hunter grants an instrument acknowledging that Glencotho and Quarter have been redeemed by Malcolm, Lord Fleming, and resigning them in his favour.<sup>3</sup>

Like other lands in Glenholm, Glencotho was divided, and part of it was afterwards dealt with in portions as "outsets" or pendicles of Rachan, Whitslade, Glenkirk, Cardon, etc. Glenhigton, the property adjoining Glencotho on the north, was treated in a similar fashion. With the records available it is not possible to present a coherent account of these "outsets," and it is not necessary. What is clear is that the property which continued to be known by the name of Glencotho was a 40s. land, and described as the half of the original lands called by that name. Of this 40s. land the story can be told.

#### GEDDES OF GLENCOTHO

On 24th August, 1537, Charles Geddes, portioner of Rachan, had a Crown charter of *inter alia* the 40s. lands of Glencotho (p. 282), and his family remained in possession till 1752.<sup>4</sup> He wadset a part of the lands to John Paterson in "Smallippis" (Smellhope), the reversion price being fixed on 1st July, 1559, at 100 merks, to be paid on the altar of the Virgin Mary in the Church of St. Cuthbert of Glenholm.<sup>5</sup>

<sup>1</sup> R.M.S. ii. No. 210. Among the Yester Writs is a letter under the Privy Seal inhibiting all persons to buy lands from Sir David Hay, who will not be ruled by reason in the government of his lands. This letter was issued in the interests of his son and heir, John.

<sup>2</sup> Wigtown Charters.

<sup>3</sup> *Ibid.*

<sup>4</sup> This part had become a Crown holding. Of other parts the Hays of Yester, and afterwards the Flemings, held a mid-superiority, which along with Quarter Chapel was acquired by the Murrays of Stanhope in 1645 (Wigtown Charters). Glencotho and Quarter Chapel still appear in the titles of the Montgomerys of Stanhope.

<sup>5</sup> *Peebles Protocols.*

To this wadset John Paterson's son, Thomas, succeeded in 1563, after which the debt was apparently paid, as there is no further reference to the wadset. There was another wadset over Glencotho granted prior to 1627 by Charles Geddes (son of above Charles) to his brother James, which was renounced in that year by William Geddes (son of James), with consent of his wife, Margaret Porteous, to James Geddes of Kirkurd (p. 284).<sup>1</sup>

#### CARMICHAEL OF GLENCOTHO

Glencotho, along with the other possessions of the Geddes family, was purchased in 1752<sup>2</sup> by John Carmichael of Skirling (p. 225), who had a Crown charter of the lands dated 23rd February, 1753. In the same year John Carmichael conveyed the property to his father and mother-in-law, William Grant of Prestongrange and Grizel Millar, his wife, but this was only for the purpose of creating a mid-superiority, and at the same time William Grant granted a feu charter to Carmichael (feu-duty £6 Scots). This mid-superiority need not be further dealt with. The right of property remained with John Carmichael (afterwards fourth Earl of Hyndford) till his death in 1787, and passed under the entail along with Skirling, Castlecraig, etc. (p. 226). In 1810 an Act of Parliament was passed authorising Sir Thomas Gibson Carmichael to sell parts of the entailed lands, including Glencotho and South Slipperfield,<sup>3</sup> and to apply the prices received in the purchase of the lands of Scotstoun, which adjoined Castlecraig. The lands were sold by public auction, and Glencotho was purchased by Sir Thomas himself at the upset price of £8207.

#### THE OTHER PROPRIETORS

In 1812 he re-exposed it, but failed to find a purchaser until 1814, when it was sold to John Hay Forbes (p. 139), advocate (afterwards Lord Medwyn), for £8456 6s. 7d., who also bought Slipperfield, the combined price being £16,900.

In 1821 the property again changed hands, and was sold to Sir John Hay, Baronet, of Smithfield and Haystoun, with whose family it

<sup>1</sup> *Part. Reg. Sas.*

<sup>2</sup> After 1736 Glencotho was considerably extended by the whole Geddes share of the common of Holmshope (p. 284) being added to it. That share amounted to about 700 acres, and carried the property to the head of Holms Water.

<sup>3</sup> The lands which were thus sold were (1) Glencotho (upset £8207); (2) Slipperfield, Blythsmuir, and Scotstounmuir (£10,048 1s.); (3) Blackford of Blyth (£593 3s. 7d.); (4) Curriemuir (Midlothian) (£3814); and (5) the mill lands of Colinton (£1710). These were all detached parts of the entailed estate, and the object was to improve Castlecraig (p. 188) by including the adjoining lands of Scotstoun. All these lots were purchased by Sir Thomas Gibson Carmichael himself, with the exception of No. 5, which was bought by a Robert Cox.

remained till 1855. To Glencotho the greater part of the lands of the Leesk was added in 1852 (p. 308), and in 1855 Sir Adam Hay, Baronet, sold the property for £10,000 to Robert Paterson of Birthwood (near Coulter). From him George Hope, farmer, Fentonbarns, Drem, purchased Glencotho in 1861 for £10,852, and it passed to his son, Alexander Peterkin Hope, Oxwell Mains, Dunbar, who was served as heir in 1877. He sold the property that year to Adam Brown, residing at Bennan, Tynron, and the present proprietor is Mr. Stephen Brown, Boreland, Lockerbie.

The present rental is £440.

## KILBUCHO

### I

The name of this parish is said to be derived from St. Bega, the virgin, who is reputed to have lived in the seventh century and to have founded a nunnery in Cumberland (p. 340). It is bounded on the south by the parish of Glenholm, and on the north partly by the parishes of Broughton and Skirling, and partly by Lanarkshire. The railway from Glasgow to Peebles runs from Biggar alongside of the Biggar Water, which bounds the parish on the north. South of that is a range of hills, stretching from Hartree on the west to Goseland and Cleuch, which divides Biggar Water from one of its tributaries, Kilbucho burn. On the other side of this burn is another range of hills running parallel, and rising to the summit of Cardon (2218 feet).

In the beginning of the thirteenth century Kilbucho was possessed by a family which took its surname from the lands. "Adam of Kelebeuhoc" appears between 1202 and 1213 as a witness to a charter by Walter, the son of Alan, the son of Walter, the Steward of Scotland.<sup>1</sup> Between the years 1233 and 1249 Christiana, the granddaughter of William Comyn, Earl of Buchan, endowed a chapel at Spittalhaugh with her lands of Ingraston for the celebration of divine service therein for her soul and the souls of her relatives, and for, amongst others, the souls of "Gameline, parson of Kelbechoc, and Marion, his sister, and of Gilbert, parson

<sup>1</sup> *Lib. de Melros*, p. 63.



of Kelbechoc" (p. 162). 'This grant is here referred to, for one of the witnesses was Sir David of Graham, and it is not unlikely that he was then the owner of Kilbucho, as it is subsequently found as a possession of the Graham family. A century later (1341-2) John of Graham granted to William of Douglas, the knight of Liddesdale, all his lands in the barony of Kilbucho, and also the lands of Newlands<sup>1</sup> (p. 8). Thus Kilbucho, which was rated at £66 13s. 4d. of old extent, the largest sum for any barony in the county, passed into the hands of the Morton Douglasses, and they have already been referred to in connection with their ownership of West Linton (p. 113), Newlands (p. 8), Kirkurd and Lochurd (pp. 180, 198 and 202), and Eshiels (vol. ii. p. 343).

From the Register of the Earldom of Morton the following particulars are taken of the rental of Kilbucho for the year 1376:—

Raw and Blandowyne (Blendewing)—to John, son of Adam and John Hyldsone	£10 6s. 8d.
Town of Kilbucho—to John Muroksone, Thomas of Cauldlaw, Ralph, son of William, and Matilda, widow	£8 and 12 hens.
Cottages—	
4 to John of Tweeddale, John Walch, and Sir John...	£1 6s. 8d.
1 to Eden Bondvyle	6s. 8d. with 4 days' work.
1 to Matilda, widow	do. do. do.
1 to Adam Lityll	do. do. do.
2 to John Muroksone	13s. 4d. with 8 days' work.
Gyldlande with two cottages to William Ker	£1 6s. 8d. do. do.
Brewlands with two cottages to William Smith	16s. 8d.
Wetlande—to John, son of Adam and John Hyldsone	5s.
The Mill—to Adam, miller	£3 6s. 8d. and the feeding of one porker for the larder of the lord.
Easterhouse of Kilbucho and the Orchards—to William Drouchilde and Adam, miller	£13 16s. 8d.
Westerhouse of Kilbucho—to Robert Hyldsone, John Brown, and William Scharp	£13 16s. 8d.
Sum of Kylbucho for the year, £54 5s.	

In 1378 by a Crown charter from King Robert II. to Sir James of Douglas, Kilbucho (and also Newlands) were erected into a regality.

<sup>1</sup> Reg. Morton, ii. No. 55-6. The charter and also the confirmatory charter by King David are quoted in full in Renwick's *Historical Notes*, pp. 255-6.

The *reddendo* was a pair of gold spurs yearly, if asked, at the feast of St. John the Baptist, and the grant carried criminal jurisdiction, "excepting the three pleas of the Crown—murder, rape, and fire raising."<sup>1</sup> This jurisdiction was extended in 1386 (10th July) by another charter to include these three pleas, and also a fourth—robbery.<sup>2</sup>

Kilbucho thereafter shares in general the history of West Linton, Newlands and Eshiels till the close of the sixteenth century, but with this difference, that for a short time the Flemings became proprietors. On 22nd July, 1535, James, Earl of Morton, sold to Malcolm, Lord Fleming, the lands of the barony of Kilbucho, with the patronage of the church, but under reservation of the right of regality and the service of the tenants at the justiciary courts.<sup>3</sup> For about twenty years the barony was held by the Flemings, and then it was re-acquired by the Morton family.<sup>4</sup>

The position in the beginning of the seventeenth century was that the Morton family were still the overlords of the whole parish, but the lands themselves were in possession of vassals. In 1631 William, sixth Earl of Morton, sold the barony of Kilbucho (along with West Linton and Newlands) to John, Lord Stewart of Traquair (p. 117), and in 1645 Traquair resigned his rights as overlord of Kilbucho in favour of John Dickson of Hartree, who was then the proprietor of all the lands in the barony.

## II

Two families have been closely identified with the parish—the Browns of Hartree and the Dicksons of Kilbucho and Hartree—and of these some particulars will be given.<sup>5</sup>

### BROWN OF HARTREE

In 1434 Sir James of Douglas granted the lands of Hartree to Richard Brown, to be held by him and the heirs of his marriage with Elizabeth of Tweedie, who was a niece of the granter.<sup>6</sup>

Richard Brown was succeeded in 1436 by his son John, who married Christian Brown, and died about 1466, in which year his son William had a charter from the superior, James, first Earl of Morton. William Brown acquired in 1449 (p. 278) from William Porteous of Glenkirk the half of the lands of Mossfennan and Logan (or what is perhaps

<sup>1</sup> Reg. Morton, ii. No. 164.

<sup>2</sup> *Ibid.* No. 177.

<sup>3</sup> R.M.S. 1513-46, No. 1512.

<sup>4</sup> *Origines*, i. p. 179. But references appear in the Great Seal Register to the barony and patronage as belonging to the Flemings in 1588-9 (R.M.S. 1513-46, No. 1616) and in 1595-6 (R.M.S. 1595-6, No. 402).

<sup>5</sup> The information given is principally from the Hartree documents now in the custody of the Town Council of Peebles.

<sup>6</sup> R.M.S. 1424-1513, No. 228

more likely, the Logan part of Mossfennan), which had belonged to his mother, Christian Brown, and the following year he exchanged these lands for the lands of Thriepland, another part of the barony of Kilbucho, which belonged to Thomas Anderson. This part will be dealt with later.

William Brown's elder son, John, married in 1452 Marion Inglis, daughter of Andrew Inglis, a son of Richard Inglis of Cormastoun, and received on that occasion from his grandfather the lands of Easter Hartree or Easterplace.<sup>1</sup> William Brown was succeeded by his grandson, Robert (son of John),<sup>2</sup> who married Janet Douglas, and received on the resignation of his grandfather, William Brown, a charter of confirmation from James, first Earl of Morton, of the lands of Hartree, dated 11th August, 1484. James Douglas of Auchinstoun acted as his attorney, which suggests that Robert Brown's wife may have been of that family.

Robert Brown's son and heir, Andrew, married in the beginning of 1513 Margaret Menzies, and was then infeft by his father in the lands of Wester Hartree (excepting the mansion house). He and his wife took possession by entering the principal dwelling-house, called Smallburne, and closing the door. Robert Brown, the father, was dead before the end of 1513, and Andrew was then infeft as his heir, and received two charters from the Earl of Morton, as superior, on 3rd November, 1513, and 27th August, 1516, the latter, which was applicable to the £5 land of the wester half of Wester Hartree, proceeding on his own resignation. He died about 1572, survived by three sons—Richard (who succeeded), William (who acquired Thriepland by marriage), and Bernard.<sup>3</sup>

Richard Brown, as heir to his father, had a precept of *clare constat* from James, fourth Earl of Morton (the Regent Morton), on 18th April, 1572, and was infeft in the lands of Hartree on 26th May. He married Janet Fleming, and granted to her on 2nd June, 1572, a life-rent charter of the £5 lands of Easter Hartree. His eldest son, Gilbert<sup>4</sup> predeceased him in May, 1576, leaving two daughters, Elizabeth and Margaret.<sup>5</sup> He granted to his second son, William, on 18th

<sup>1</sup> The name Easterplace is still retained as part of the farm of Burnfoot, but originally it would probably include Burnfoot and Bamflat.

<sup>2</sup> In the references to Robert, his father John is not mentioned as deceased, suggesting that he may not have been, but that some other reason existed for passing him over.

<sup>3</sup> Bernard Brown in 1552 acquired lands in Coulter, and had a son John who succeeded him in 1602. There were later many Browns in Coulter.

<sup>4</sup> He married Margaret Weir (contract dated 23rd May, 1570), daughter of James Weir of Blackwood, and received from his grandfather, Andrew Brown, a grant to himself and his wife and his heirs male of the £5 lands of Blackbyres and Burnfoot.

<sup>5</sup> They afterwards claimed the family properties as heirs of their grandfather, but an arrangement was come to in 1602 with their cousin's son, Gilbert Brown, who was then in possession.

January, 1576-7, a charter of all the lands of Hartree, under reservation of his own liferent, and the terce of his wife, Janet Fleming. This grant was renewed on 9th April, 1579, but under reservation to Janet Fleming of her liferent of the £5 lands of Hartree, commonly called Easterplace, and of Burnfoot and Blackbyres.<sup>1</sup>

William Brown died in March, 1585, without issue, and Hartree passed to his cousin, Andrew Brown, who owned the adjoining property of Thriepland. He was infeft in Hartree on 13th April, 1586, on a precept from the superior, John, Earl of Morton.<sup>2</sup> He married Margaret Baillie, and died in January, 1592, leaving a son, Gilbert, to whom John Brown in Dolphinton, his uncle, acted as tutor.<sup>3</sup>

Gilbert Brown was served as his father's heir in the lands of Hartree on 10th September, 1596, and as his grandfather's heir in the lands of Thriepland on 21st December, 1599. He married Jean Hay, apparently of the Smithfield family, and died before 1622, leaving three sons, Andrew, Malcolm and Alexander.

Andrew Brown, the eldest son, was infeft in Hartree and Thriepland on 14th April, 1622, on a precept of *clare constat* from William, sixth Earl of Morton. At the weaponshaw in 1627 at Peebles he was not present, but he sent ten of his men "horsit, with lances and swords." He married Margaret Lindsay, and, with her consent, on 1st November, 1633, he wadset Hartree to George Baillie, merchant burgess of Edinburgh, for 20,000 merks. The following year he sold both Hartree and Thriepland for 57,000 merks to John Dickson.<sup>4</sup>

John Dickson, who was the common ancestor of the Dicksons of Kilbucho, Hartree, and Whitslade (p. 293), acquired the lands of Kilbucho in 1628 (p. 325), and the lands of Hartree and Thriepland, as we have seen, in 1634. He was bred to the law, became servitor to Mr. Alexander Gibson of Durie, one of the Clerks of Session, and prospered in his profession. He was M.P. for Peeblesshire 1649-50, and was appointed a senator of the College of Justice, with the title of Lord Hartree. In 1616 he married Bessie Barbour, and had two daughters

<sup>1</sup> Richard Brown had also two daughters, Elizabeth, who married John Hay of Smithfield in 1574, and Helen, who married Patrick Govan, brother of John Govan of Cardrona.

<sup>2</sup> There is in existence an uncompleted charter to Andrew Brown, dated 1586, by John, Lord Fleming, as baron of the barony of Kilbucho and superior of Hartree, which shows that there was then some doubt as to who was the superior, arising no doubt from the grant in 1535 (p. 314) to Malcolm, Lord Fleming.

<sup>3</sup> A duel was fought in 1595 in Edstonhaugh, near Peebles (see vol. ii. p. 302), between John Brown and George Hepburn. Although this John Brown is styled "of Hartree" in the records of the Privy Council, there is no trace of him as such in the family records. Perhaps he was Gilbert's tutor, John, whose designation would be Tutor of Hartree.

<sup>4</sup> John Brown, natural son of John Brown, "called of Hartree," appears as a witness in 1662 at Peebles.



and four sons. In 1632 he married his second wife, Susanna, daughter of George Ramsay of the Kirkton of Balmerino, and by that marriage there were seven daughters and four sons. One of his daughters, Elizabeth, married Sir George Mackenzie of Rosehaugh (the Bluidy

## DICKSON OF KILBUCHO AND HARTREE



ARMS.—Argent 3 Mullets Gules.

CREST.—A dexter hand holding a Scimitar proper.

MOTTO.—*Fortes fortuna juvat.*

Mackenzie). Lord Hartree died in 1653, survived by four sons—two of the first marriage, Alexander, who succeeded to Kilbucho, and John, who became proprietor of Whitslade; and two of the second marriage, James and David, who succeeded in turn to Hartree. These two branches (Kilbucho and Hartree) will be treated separately.

## (a) THE DICKSONS OF KILBUCHO

Alexander Dickson, the fourth but eldest surviving son of Lord Hartree's first marriage, was born in 1624, married Isabel, daughter of William Sandilands of Hilderston, third son of the second Lord Torphichen. He fought for Montrose in 1644, and died in 1656, survived by his widow (who married in 1661 Alexander Menzies of Culterallers) and two sons, William, who succeeded, and John, who was tenant of Mitchelhill in 1702.

William Dickson was a minor when he inherited, and had as his tutor his uncle, John Dickson of Whitslade. He died in 1680, survived by his wife, Margaret, daughter of Sir William Murray, first Baronet of Stanhope—she afterwards married Alexander Cochrane of Barbauchlaw—and one child, William, then aged four.

William Dickson was born in 1676, and although he inherited so young, he became known later as "Old Kilbucho," for he lived till

1762. His father left debts behind him, and a process of adjudication was raised by the creditors, among whom were his uncle John, Sir David Murray of Stanhope, and Sir John Ramsay of Whitehill. The debts were paid, and William Dickson had a charter from Queen Anne on 10th July, 1702, in which the lands are detailed as Mitchellhill, Raw, Blendewing, Goseland, Cleuch, the Mains, Mill and Mill lands, and the lands called Calzeat Clibanum. He married (contract dated 8th October, 1705) Jean, daughter of Sir William Menzies of St. Germain's, Gledstones and Lethan, and his affairs prospered, for he purchased in 1733 the estate of Coulter from Alexander Menzies of Culterallers. He made an entail of Kilbucho in the same year. He does not seem to have taken any direct part during the '45,<sup>1</sup> but on the abolition of heritable jurisdictions in 1747 he claimed £1000 as compensation for the loss of regality privileges. The claim was not sustained, perhaps because Kilbucho was originally part of the regality of West Linton and Newlands, for which the Earl of March received an award (p. 121). William Dickson died on 6th March, 1762, and his wife in the following year. Both lie in the vault of Kilbucho church. He left four sons and three daughters :—

John and David, who succeeded in turn ;

Thomas, who married Grizel Rachel Baillie<sup>2</sup> of Walston (she dispooned to him her patrimony, and he was known as Thomas Dickson of Walston ; died s.p. in 1747) ;

Michael, of Taunton, Somerset, who married in 1745 Letitia Stodden and left issue ;

Margaret, who married James Somerville of Cochrane ;

Mary, who married George Muirhead of Whitecastle and Persie-lands, and after his death the Rev. J. Noble, minister of Liberton ; and

Isobel, who died unmarried.

Margaret and Isobel are buried at Kilbucho, and Mary in Biggar churchyard.

John Dickson, the eldest son, was an advocate, and was served heir to his father on 3rd July, 1766. He was M.P. for Peeblesshire from 1747 till his death, unmarried, in London on 2nd December, 1767. He was buried at Kilbucho, and was succeeded by his brother David, whom he tried to pass over in his will, as he considered him a quarrelsome fellow, although a minister of the Gospel.

The Rev. Dr. David Dickson<sup>3</sup> was at first trained for the law, and was for some time a writer in Edinburgh. Later he entered the Church, and had rather a stormy career in it during his ministry at

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<sup>1</sup> John Murray of Broughton is said to have visited Kilbucho House in disguise on his way to Polmood where he was captured. He was a second cousin of William Dickson.

<sup>2</sup> In 1739 she was served heir to her father, John Baillie of Walston, in Elsrickle, Walston, and others.

<sup>3</sup> See vol. ii. p. 111.

Newlands from 1755 to 1767. He was served heir to his father in 1768, and had a Crown charter of the lands on 7th August, 1769. He was twice married, first to Miss Hogg of Newliston, by whom there was no issue, and secondly, to Anne, daughter of Alexander Gillon of Wall-house, by whom he had four sons and one daughter:—

William, who succeeded ;

John, who acquired Coulter from his father in 1783, and succeeded his brother William ;

The Rev. David, who inherited Persielands from his aunt Mary, married Christian Wardrope (his mother's niece), and was minister successively of Liberton, Bothkennar, and the New North Church, Edinburgh ;

Captain James Ranaldson-Dickson, who married the heiress of Ranaldson of Blairhall, Perthshire ; and

Elizabeth, who died unmarried.

Dr. Dickson died in 1780, and was buried in Kilbucho, where his wives also lie.

Brigadier-General William Dickson, the eldest son, was born in 1748, and had a distinguished military career, but he had the expensive tastes of a man of fashion of the period. In 1771 he served in the American War as a gentleman volunteer. He was back in the country in 1778, and visited Peebles to stimulate recruiting for the militia.<sup>1</sup> He fell badly into debt, and was forced to sell much of the estate. In 1785, pressed by his creditors, he appointed Loch of Rachan his trustee. He fought with the 42nd Highlanders in the Egyptian Campaign against Napoleon, and returned in 1802 with the rank of Lieutenant-Colonel. His regiment was reviewed by King George III., and thereafter he marched with it to Scotland, and was received everywhere with acclamation. Peebles welcomed him with open arms, and he was made a burghess.<sup>2</sup> It was the glitter of life which attracted him, and he spent much on fine clothes and good wine. In the days of the Regency he was a prominent figure with his high-coloured, good-humoured face. There is a story that the Prince of Wales (afterwards George IV.) twitted him on the redness of his nose, and asked, with an effort at humour, how long he had taken to paint it. The reply was that the process was not yet completed. In 1808 he was sent to Cork as Lieutenant-Governor of that city, and died unmarried in 1815, succeeded by his brother John. All that then remained of the lands of Kilbucho were Kilbucho Place itself and the small adjoining property of Calzeat.

#### (b) THE DICKSONS OF HARTREE

Little is known of James Dickson, who was the eldest son of Lord Hartree's second marriage ; he had a charter of Hartree from his father in 1657, and he transferred these lands in 1663 to his younger and only surviving brother, David.

<sup>1</sup> See vol. ii. p. III.

<sup>2</sup> *Ibid.* p. 319.

David Dickson was born in 1644, married (contract dated 30th May, 1665) Helen, third daughter of Sir Alexander Wedderburn of Blackness, and died in or before February, 1668, leaving two sons, John (who succeeded) and David. He acquired in 1665 from his uncle, James Dickson, the lands of Stane.

John Dickson was born in 1666, and married (contract dated 13th December, 1692) Anna, daughter of Sir William Murray, first Baronet of Stanhope. Her tocher was 3000 merks. He entailed the lands in 1695, and died in 1706, survived by a son, John, and four daughters, Henrietta, Helen, Anne, and Agnes. The son, John, succeeded, and was infest in Hartree on 15th May, 1707, on a precept of *clare constat* from the superior, William Dickson of Kilbucho. He also succeeded to Stane, and increased his possessions in 1722 by the purchase of the lands of Anniestoun, in the parish of Symington, from George Lockhart of Carnwath for 15,100 merks. He also acquired about the same time the lands of Eastfield in the same parish. There does not appear to have been any issue of his marriage (post-nuptial contract dated 31st October, 1727) with Susanna Lockhart, daughter of William Lockhart of Wygateshaw, and he was succeeded by his three surviving sisters, Helen, Anne, and Agnes, who were served as his heirs portioners of line and provision on 13th June, 1744.

A few months before "the Ladies of Hartree," as they were called, entered into possession, a claimant of the estates appeared on the scene. This was David Dickson, grandson of their uncle, David, the younger brother of their father, John Dickson of Hartree. David, the uncle, had married out of his class and disappeared; he had a son, John, who was an officer of Excise, and the claimant, John's only son, was a footman in the service of William Robertson, writer, Edinburgh. While he was waiting one day at dinner, he heard one of the guests say that the Ladies of Hartree knew of no heir to the property, although it was not unlikely that their uncle might have left descendants. After dinner the footman went to his employer and told his story, and the guest, who proved to be his relative, David Dickson, afterwards the Rev. David Dickson of Kilbucho (p. 318), lent him money wherewith to purchase a commission and prove his claim. In security of this loan David, the footman, assigned his rights to Hartree by a disposition dated 2nd April, 1744. Later in the same month he was served as heir to David Dickson of Hartree, his great-grandfather, and on 10th November of the same year he had a precept of *clare constat* from the superior, William Dickson of Kilbucho. He did not, however, attempt to dispossess the ladies, but they paid off the loan he had contracted to David of Kilbucho, who transferred to them the disposition in his favour.

The ex-footman became an ensign in Lieutenant-General Handyside's Regiment of Foot, and rose to the rank of Captain. He made his home at Hartree, and after his retirement acted as factor to the ladies there, with whom he was on the friendliest terms. His wife was Jean Bell, a housemaid, whom he had married while he was a footman,





CAPTAIN DAVID DICKSON OF HARTREE  
(d. 1791)



COLONEL ALEXANDER DICKSON OF HARTREE  
(1743-1817)



and of this marriage there was one son, Alexander. In 1753 the "Ladies of Hartree" executed a disposition of their lands—Hartree, Thriepland, Anniestoun, Stane and Eastfield—to themselves and their issue, whom failing to Ensign David and his heirs. The ladies never married. Helen seems to have died in 1756; Anne's name disappears after 1759. Agnes, the remaining sister, on 20th March, 1779, bought the mid-superiority of Hartree and Thriepland from the laird of Kilbucho for £329 11s. 10½d. stg., and thereafter these lands were held direct of the Crown.<sup>1</sup> Agnes Dickson died in 1794, and was succeeded by Alexander Dickson, the only son of Captain David Dickson, who died in 1791.

Alexander Dickson, who became Colonel of the 16th Regiment of Foot, was born in 1743, and was served heir to his three cousins, the ladies foresaid, on 11th July, 1794. He married Susanna Jane, daughter of Sir Henry Moore, Governor of New York, and afterwards divorced her. The old tower of Hartree was demolished by him, and he built the older part of the present house on an adjoining site. As he had no children, he intended a cousin, Major Andrew Douglas, who lived with him at Hartree, to be his heir, but he outlived him, and died in 1817, leaving his lands in Kilbucho to his relative, John Dickson of Kilbucho and Coulter, subject to a liferent in favour of Euphemia Helen Smeaton, the widow of Major Andrew Douglas.

### (c) THE DICKSONS OF KILBUCHO AND HARTREE

John Dickson, who thus united the two branches of the family, was an advocate, and a Deputy-Lieutenant of the county. He was born in 1752. In 1781 he married Mary, daughter of the Rev. J. Gibson, minister of St. Cuthbert's, Edinburgh, and of this marriage there were six sons and six daughters. Kilbucho he inherited in 1815, and to Hartree he was served heir on 17th November, 1817. Kilbucho Place he turned into a farm, and lived himself at Coulter House.<sup>2</sup> He died on 25th May, 1835, and was buried in Coulter. He was succeeded by David, his second but eldest surviving son.

David Dickson of Kilbucho and Hartree, also an advocate, was born in 1793, and married in 1826 Jemima, daughter of the Rev. D. Pyper, minister of Pencaitland. He had a family of four sons and three daughters, and died on 25th December, 1866, survived by his widow,

<sup>1</sup> In Armstrong's *Companion* (1775) her properties in the parish are detailed, which is useful as showing what the original extent was of Hartree and Thriepland, as compared with the rest of the lands in the parish. The estate extended from Kilbucho burn to Biggar Water, and included the farms of Bamflat and Howslack, Easterplace (now part of Burnfoot), Burnfoot, Blackbyres (now part of Pyetknowe), Pyetknowe, Ketherhead, Shawhouse (now Southside), Thriepland, Hartree Mill, the Netherhouses (adjoining the Hartree policies), and Thimble Hall.

<sup>2</sup> Much of the lands of Coulter he sold, and the remainder, including Coulter House, was sold after his death.

who died at Hartree in 1894, aged 93. He was succeeded by his third son, Alexander.

Alexander Dickson of Kilbucho and Hartree, LL.D. (Glasgow) and F.R.S. (Edinburgh), was a Deputy-Lieutenant of the county, and became successively Professor of Botany at the Universities of Dublin, Glasgow, and Edinburgh (1879). He built most of the present house at Hartree, and died unmarried on 30th December, 1887, succeeded by his younger brother, Archibald.

Archibald Dickson, M.D., was born in 1837, and died unmarried in 1901. Hartree (which had been disentailed by his father) he bequeathed to his younger sister, Elizabeth : Kilbucho passed under the entail to his eldest sister, Mary, and the properties were thus again separated.

#### THE HARTREE BRANCH

Elizabeth Dickson of Hartree was the third but second surviving daughter of David Dickson, who died in 1887. She was born in 1841, and died unmarried at Hartree in 1911, succeeded by John Gordon Wilson-Dickson, to whom she bequeathed the estate.

This laird was a great-grandson of John Dickson of Kilbucho, Hartree, and Coulter, who died in 1835 (p. 321), and whose daughter, Margaret Nimmo Dickson, married in 1804 at Coulter House, William, fourth son of John Wilson of Wilsontown. Their eldest son, John, had by his wife, Georgina, daughter and co-heiress of George Shepley, an only son, William, who married Sophia Susanna, sister of Sir Charles Edward Gordon, seventh Baronet of Earlston, and of this marriage the eldest son was John Gordon Wilson, who assumed the additional surname of Dickson on his succession to Hartree. He married in 1907 Mary Glen Davidson, and died in 1913, survived by three sons—William Gordon (born 1908), Richard Glen (1909), and Philip Shepley (1911).

#### THE KILBUCHO BRANCH

Mary Dickson of Kilbucho (eldest daughter of David Dickson, who died in 1887) married William Francis Hunter-Arundell of Barjarg, Dumfriesshire, and died without issue in 1913. The property then passed to the present proprietrix, Mary Esther Wynne Gibson, a granddaughter of John Dickson of Hartree, Kilbucho, and Coulter (p. 321), who died in 1835. Her descent is through John Dickson's youngest son, Dr. Archibald, whose only child, Janet Christina Anne, married Captain Posnitt. Of that marriage Mary Esther Wynne is the elder daughter. She married Robert Gibson, and has one child, Richard.

### III

The lands in the parish may be dealt with under three headings—(1) the lands of Hartree and Thriepland, (2) the



lands of Kilbucho, comprising all the remainder with the exception of Kilbucho manse and ground attached, and (3) Kilbucho manse.

### (1) HARTREE AND THRIEPLAND

#### (a) HARTREE

Hartree—a £20 land of old extent (1040 acres)—lies at the west end of the parish, and extends from Biggar along the side of Biggar Water to the farm of Bamflat; it then crosses the ridge to the Kilbucho burn and takes in the farms of Goseland, Howslack, and South Side. It was always a part of the barony of Kilbucho, but it was in the possession of a sub-vassal as early as 1389. In that year Janet Graham, designed lady of "Walchtone,"<sup>1</sup> and probably kin to the Grahams of Dalkeith, surrendered Hartree to her overlord, Sir James of Douglas,<sup>2</sup> and it thereafter remained with him and his son, Sir James, till 1434, when it was granted to Richard Brown (p. 314).

#### (b) THRIEPLAND

Thriepland is a smaller property than Hartree, and adjoins it on the west. It was also a part of the barony of Kilbucho, and there is still a farm of that name. "Robert of Threpeland" swore fealty to King Edward I. of England on 28th August, 1296, and for a time the lands gave a surname to the family in possession. Prior to 1374 there was a Henry of Thriepland, who had a daughter, Alice, and she, with her husband, Thomas of Forest, gave back the lands to the overlord, James of Douglas, on payment of "one hundred good and lawful sterling shillings," but on condition that if Alice had any heirs, male or female, of her body, the lands were to be restored to them.<sup>3</sup> Subject to that condition, Sir James Douglas in August, 1377, granted the property to Andrew, son of John.<sup>4</sup> There is no trace of further proprietors till 1450-1, when William Brown of Hartree (p. 315) acquired Thriepland by excambion from Thomas Anderson, and had a charter of confirmation on 12th March from the superior, Sir James Douglas of Dalkeith, who calls him his cousin.

William Brown gave Thriepland in 1483 to his younger son, Andrew, who had a charter of confirmation on 31st July from James,

<sup>1</sup> "Supposed to be Wallaston in the Lennox district, anciently belonging to the Grahams" (Renwick's *Historical Notes*, p. 265). But it may be Walston in Lanarkshire, which is only a few miles distant from Hartree.

<sup>2</sup> Reg. Morton, ii. No. 189. James of Tuedy acted as her deputy and attorney.

<sup>3</sup> Reg. Morton, ii. No. 146. The deed is dated 3rd September, 1374, and is quoted in full in Renwick's *Historical Notes*, p. 261.

<sup>4</sup> Reg. Morton, ii. No. 151. Quoted in Renwick's *Historical Notes*, p. 262.

first Earl of Morton. In that charter the lands are described, but the description is of little use in identifying the original boundaries, as the names are strange, viz. :—*Crannoboge, Smalburne, Chesterburn, Kowfurde, Farhornfurde, Langrydyke, and Wodgylburne*. Andrew Brown died about 1513—he may have fallen at Flodden—as on 22nd November of that year his son, Gilbert, had a precept of *clare constat* from James, Earl of Morton.

Gilbert Brown in December, 1534, resigned the lands for new infeftment to his niece and heir, Margaret Brown, on her marriage to William Brown, the second son of Andrew Brown, the sixth laird of Hartree, and in February following letters of reversion were granted by William Brown, who refers to his wife as his “handfast spouse,” undertaking that if his wife died without lawful issue the lands would revert to his father-in-law on condition that he paid to him or his heirs 200 merks upon the high altar of St. Bege’s Kirk. However, there were four sons of the marriage, Andrew, John, Robert, and William ; and Margaret Brown survived her husband (who died about 1583), and is styled thereafter “of Thriepland.” Their eldest son, Andrew, succeeded to Thriepland, and on the death of his cousin, William Brown, he also succeeded to Hartree as heir to his uncles, Richard and William.

#### (c) THE WHOLE PROPERTY

Hartree and Thriepland remained in the possession of the Browns, of whom an account has been given, until 1634, when they were sold for 57,000 merks to John Dickson, who afterwards became Lord Hartree (p. 317). Thereafter the properties were possessed by a branch of the Dicksons, as before stated, and ultimately descended to John Gordon Wilson-Dickson, who died in 1913. His executors now hold only the farms of Knowehead (rental £213 10s.) and Howslack (rental £197).

The rest of the estate they sold—

Hartree House and policies to Mr Charles Atha, managing director of the tube works of Stewart & Lloyd, Coatbridge (rental £352).

The farms of

Bamflat, to Mr. John Masterton (rental £140).

Burnfoot and Easterplace, to Mr. James Steel (rental £218 13s. 9d.).

Pyetknowe, to Mr. John Scott (rental £300).

Southside, to Mr. William Home (rental £158).

Thriepland, to Mr. William Jackson (rental £393).



JEMIMA PYPER

Wife of David Dickson of Kilbucho and Hartree  
(d. 1874, aged 93)



PROFESSOR ALEXANDER DICKSON  
OF KILBUCHO AND HARTREE  
(1836-1887)





## (2) THE LANDS OF KILBUCHO

These lands, which we are now dealing with, consist of the farms of Kilbucho Place and Calzeat, Kilbucho Mains, Blendewing and Raw, Mitchellhill, Cleuch, Goseland, and Parkgatestone (or New Mains). Being part of the barony, their general history has already been outlined (p. 312) up to the end of the fifteenth century. Prior to that Mitchellhill, Kilbucho Mains, Cleuch and Goseland, and perhaps other parts, were in the possession of sub-vassals, and in the early years of the sixteenth century most, if not all, of the remainder was disposed of and only the superiority retained. About 1614 the lands themselves (with the exception of Mitchellhill and Kilbucho Mains) became the property of Mr. John Douglas, who was styled "of Kilbucho," and were held by him under the Earl of Morton. He was the son of Mr. Archibald Douglas, Archdeacon of Glasgow, and Margaret Tweedie, and was related to the Cavers family. He married Margaret Douglas, and they were both concerned in a number of transactions concerning the lands of the barony. In 1618 his brother, Mr. Robert Douglas, had a wadset from him of the lands, and was infeft in an annual rent of 200 merks from them. John Douglas died about 1624, when his son, Archibald, was charged at the instance of creditors to enter as heir to his father and grandfather.

The greater part of the lands became the property—the links have not been traced—of Sir Archibald Murray of Blackbarony, and in the weaponshaw of 1627 at Peebles he appeared with forty-two horsemen from his properties in Kilbucho and Eddleston. By charter dated 18th January, 1628, he granted his lands of Kilbucho to John Dickson (Lord Hartree), and this was ratified by William, Earl of Morton, on 13th August, 1630. The lands are described as the town and lands of Kilbucho, the mill lands and multures thereof, the lands of "Moitt" or Mains of Kilbucho, Raw, Blendewing, Cleuch and Goseland, with the patronage of the Kirk. The superiority of the barony passed in 1631 from the Earl of Morton to the Earl of Traquair, who in 1645<sup>1</sup> resigned his rights to John Dickson, thus enabling him to hold Kilbucho (which also included the superiority of Hartree and Thriep-land) direct of the Crown. In 1646 John Dickson acquired Mitchellhill, and as he had also acquired Hartree and Thriep-land in 1634 (p. 316), he thereby became proprietor of the whole parish. He was succeeded in 1653 by Alexander, the eldest surviving son of his first marriage.

## (a) KILBUCHO PLACE AND CALZEAT

From the date of the purchase of the Kilbucho lands by John Dickson in 1628, these two farms have been in the possession of the Dickson family. Kilbucho Place was their

<sup>1</sup> R.M.S. 1634-51, No. 1609.

dwelling-house until 1815, when John Dickson (brother of Brigadier-General William Dickson, p. 319), succeeded. He lived at Coulter, and since then the house has been let along with the farm. The earliest part of the building is said to date back to the sixteenth century, and there is a number of old tablets on the walls with mottoes on the brevity of life and the need of wisdom.

The present proprietor is Mary Esther Wynne Posnitt, who married Robert Gibson (p. 322).

The rental (excluding superiorities from the lands of Calzeat) is £626 6s. 8d.

#### (b) KILBUCHO MAINS

The “ Moitt ” or Mains of Kilbucho is included in the lands purchased by John Dickson in 1628, but that could only be a mid-superiority, as the property was then possessed by a branch of the Tweedie family. Later—the link has not been traced—the property passed to the Dicksons, and was held by them until 1809. In that year Kilbucho Mains was feued by John Loch of Rachan, as trustee for Brigadier-General William Dickson and his creditors, to John Hay Forbes, advocate (afterwards Lord Medwyn, p. 139). It is not possible to say whether the land then transferred was greater or less in extent than the original “ Moitt,” but it included the mill, and part of Parkgatestone, and extended in the direction of Glenholm between the farms of Kilbucho Place and Blendewing.

Lord Medwyn conveyed the property in 1836 to George Turnbull, W.S., of Abbey St. Bathans, who a few days later transferred it to Alexander Gibson Carmichael, younger of Skirling. He sold it in 1846 to John Cuninghame of Lainshaw (p. 327), by whom it was entailed. His son, Richard Dunning Barré Cuninghame, disentailed Kilbucho Mains in 1898, and the following year sold it for £9800 to Mr. Duncan Macdonald, Motherwell.

Mr. Macdonald built a residence there and planted the policy grounds round it. He has recently sold it to Mr. James Haddow, Springbank, Falkirk.

The present rental is £440.

## (c) BLENDEWING AND RAW

This farm—the Raw was originally a separate holding—lies between Kilbucho Mains and Mitchellhill, and is beautifully situated, with Cardon for a background. In 1586 there were three occupiers in “Blandewine”—Patrick Porteous, who had four oxgangs; Rolland Porteous, who had two oxgangs; and Patrick Thomson, who had also two oxgangs. They were dispossessed by George Geddes acting as chamberlain of John, Lord Fleming, who was the principal tenant of the lands; and thereafter, it is recorded, they agreed to become tenants of Lord Fleming at a rent of seven merks for each oxgang.<sup>1</sup> John Porteous was in Blendewing in 1603, but whether as proprietor or tenant is not clear.<sup>2</sup> Malcolm Fleming became proprietor of both Blendewing and Raw in 1620, and from him they passed in 1623 to William Fleming, and to John Dickson in 1626. Mr. John Douglas (p. 325) apparently held a mid-superiority, and this also passed to John Dickson.

Thereafter the property remained a possession of the Dicksons of Kilbucho until 1786, in which year, along with Mitchellhill, Goseland, Cleuch and Parkgatestone, it was acquired from Brigadier-General (then Captain) William Dickson by William Cuninghame of Lainshaw, Ayrshire, who was descended from a younger branch of the Cuninghames of Caprington.

William Cuninghame married in 1780 Margaret Nicholson, eldest daughter of the Hon. George Cranstoun (son of James, sixth Lord Cranstoun, and Jane, his wife, daughter of William Ker, second Marquis of Lothian), and in 1794 entailed his properties to Alexander, his second son and his heirs, whom failing to John, his fourth son, and his heirs, and other substitutes. Under this entail John Cuninghame of Lainshaw and Duchrae, the fourth son, succeeded, and was served as heir of tailzie and provision on 19th August, 1801. He had a Crown charter of the Kilbucho lands on 3rd February, 1802, the feuduty being 1d. Scots at the feast of Pentecost yearly, if asked.

John Cuninghame was a Justice of the Peace and a Deputy-Lieutenant of Kirkcudbrightshire, and married in 1831 Eliza Mary, daughter of Captain Upton, R.N. He extended his possessions in the parish by the purchase in 1846 from Alexander Gibson Carmichael,

<sup>1</sup> *Reg. Ho. Protocols.*

<sup>2</sup> *Session Records.*

younger of Skirling, of the lands of Kilbucho Mains, and died in 1864, succeeded by his second son, Richard Dunning Barré, who had a Crown writ of *clare constat* dated 30th March of that year.

#### CUNINGHAME OF LAINSHAW



ARMS—A Shakefork Sable within a bordure waved Azure.

CREST—A green branch growing out of the broken trunk of an oak tree proper.

MOTTO—*Non obstante Deo.*

Richard D. B. Cuninghame was succeeded by his nephew, Richard John Cuninghame (son of his elder brother, John William Herbert Cuninghame,<sup>1</sup> J.P., D.L., late Captain, 2nd Life Guards), who was served as heir of provision on 16th February, 1916. He disentailed his lands in 1918, after which they were sold.

Blendewing and Raw were purchased in 1921 by Mr. Thomas S. Todd, a former tenant of Mitchellhill.

The present rental is £210 12s. 3d.

#### (d) MITCHELLHILL

This property, adjoining Blendewing, lies on the south side of Kilbucho burn, opposite to Goseland and Howslack, and is bounded by Thriepland and Southside, at the head of the glen. It is not unlikely that Thriepland originally included Mitchellhill, as the family of that name were con-

<sup>1</sup> He married in 1867, Emily, daughter of Major George Graham, youngest son of Sir James Graham, first baronet of Netherby.



nected with part of the lands till the beginning of the seventeenth century. It was a £5 land of old extent, and by the middle of the fifteenth century had been divided into two.

#### THRIEPLAND OF MITCHELLHILL

One-half belonged to the Thrieplands. Robert Thriepland of "Mychelhill" in 1466 was a witness to the sasine of William Brown of Hartree, and in May, 1467, was on the jury for the service of John Geddes at Thankerton. On 13th July, 1513, John Thriepland had a charter of the lands from James, Earl of Morton. David Thriepland of Mitchellhill is in evidence from 1559 to 1566, in which year his son and heir, Richard, married Agnes Brown. In 1591 John Thriepland was infeft in the lands as heir of David Thriepland, his grandfather, on a precept of John, Earl of Fleming, and he had also a precept of *clare constat* from the Earl of Morton in 1616, in which year he wadset his half to William Bertram of Nisbet. Of this wadset he renounced the reversion in 1620. Both Thriepland and Nisbet were called for their interests in 1634 in the action of reduction and improbation (p. 118) at the instance of Traquair.

#### NEWTON OF MITCHELLHILL

The other half belonged in 1465 to John Newton, who had a charter, as heir of his father, from the Earl of Morton. In 1514 David Newton had a precept of *clare constat* as son and heir of his father, Patrick, who may have fallen at Flodden. In 1555 there was still a David Newton, who was succeeded in 1563 by John (presumably his son), and in 1591 Walter Newton was served as heir to his grandfather, David, on a precept by John, Lord Fleming. William Newton in 1634 was called in the action by Traquair, and produced a precept of *clare constat* in his favour as son and heir of David, his father.

These two shares<sup>1</sup> were acquired in 1646 by John Dickson from William Bertram and William Newton, and thereafter the property shares the story of Blendewing. It was sold in 1920 to Mr. James Forrester, and by him sold in 1925 to Mr. Herbert Smith.

The present rental is £357 3s.

<sup>1</sup> One or other must have been divided. On 1st April, 1640, John Mathieson granted a charter of his quarter of Mitchellhill to Robert Brydin, son of George Brydin in Mitchellhill, on which he was duly infeft (*Part. Reg. Sas.*). That quarter would also be acquired by John Dickson.

## (e) CLEUCH AND GOSELAND

These two farms adjoin, but Cleuch is in the valley of Biggar Water, while Goseland is in the glen of Kilbucho burn. There was a John Brown in Goseland in 1570, and also a William Brown who in 1569 married Helen Baillie and bestowed on her six oxgangs of land, four of them in the Goseland and two in the Cleuch. These Browns were no doubt related to the Browns of Hartree. A William Brown in "Goisland" died there on 20th March, 1583, among those attending on him being William Brown of Hartree and Andrew Brown of Thriepland. He had brothers, David and Bernard, and he left a widow, Helen Tweedie, and a son and daughter, John and Marion. John Brown of Goseland (probably William's son) is referred to in 1598.<sup>1</sup>

The lands were acquired by Mr John Douglas (p. 325), and sold by him in 1618 to William Brown, who sold them in 1621 to Sir Archibald Murray of Blackbarony. They were acquired in 1628 by John Dickson, after which they share the story of Blendewing and Mitchellhill. In 1921 they were sold to Messrs. John, James, and Ebenezer Braidwood Masterton.

The present rental is £260.

## (f) PARKGATESTONE (OR NEW MAINS)

This farm lies on Biggar Water, between Cleuch and Kilbucho Mains. The name is comparatively recent, and is obviously a "made" one. Perhaps the farm was formed partly from the lands of Cleuch and partly from Kilbucho Mains. Like the rest of the Kilbucho lands, it became the property of John Dickson in 1628, and after that it shares the story of Blendewing, Mitchellhill, Cleuch and Goseland. It was purchased in 1922 by Mr. Henry Corrie, by whose widow it was sold in 1926 to Mr. James Cunningham.

The present rental is £358 19s. 1d.

<sup>1</sup> Session Records.

## (3) KILBUCHO MANSE AND GLEBE

This small property lies at the junction of the Raw and Mitchellhill burns, and extends to about fourteen acres. Adjoining it is the churchyard with the ruins of the old Kilbucho church. When the three parishes were united, the manse and glebe came into possession of the heritors, and were sold by them in 1811 for £720 to James Richardson, in Heughbrae, Glenholm. From him the property passed to his brother, Rev. John Richardson, minister of the United Secession congregation at Freuchie, in liferent, and to the latter's eldest son, John, in fee.

John Richardson, the son, sold the property in 1870—he was then the Honourable John Richardson, of Sydney, New South Wales—to James Hope and James Hope, junior, at Hartree, Knowehead, Biggar. The price was £830.

James Hope, junior, sold his share in 1889 for £400 to James Hope, who died in 1901, and his trustees in 1903 sold the property to John Thomson, farmer, Talla, Tweedsmuir.

In 1918 John Thomson sold it to his sister Grace, who in 1926 sold it to Major Percy Douglas Saxton, late of the 20th Duke of Cambridge's Own Infantry (Brownlow's Punjabis), India.

The present rental is £31 5s.

## ECCLESIASTICAL HISTORY

The three parishes will be dealt with separately until their union in 1794. They were in the Presbytery of Peebles from the Reformation till 1644, and after that in the Presbytery of Biggar.

## BROUGHTON CHURCH

The original church or chapel at Broughton was apparently founded by St. Llôlan<sup>1</sup> in the seventh century, and was later dedicated to St. Maurice, the patron saint of Savoy,

<sup>1</sup> *The Pictish Nation*, by Rev. Archibald B. Scott.

a martyr in the persecution known as Diocletian's about the beginning of the second century. The reason for this dedication is not known, and it is the only dedication to St. Maurice of Scotland.<sup>1</sup> The earliest reference to the chapel is the grant already referred to (p. 248) by Ralf le Neym, between 1175 and 1180, and at that time Broughton and also Glenholm were reckoned as part of the parish of Stobo, where the mother church was.

After the Reformation the minister of Drumelzier, James Stewart, had for a time Broughton and also Glenholm under his charge. In 1567 the name of Walter Tweedie appears as exhorter at Broughton. He was reader at Broughton and Glenholm in 1574, and later he had also Kilbucho. He was still in office in 1591. In 1594 Mr. John Makcullo, a graduate of Edinburgh, was the minister, but he left a year later as he could "find na sufficient provision." The parish was then without a minister till 1603, when Archibald Livingstone, A.M., was appointed, and ordained on 24th November. The following year there was a visitation of the Presbytery, and the "gentlemen" reported they were well satisfied with their minister. But the kirk was found to be in a bad state and "not only ruinous, but desolate without a roof." The sum of £80 required to repair the kirk and also the manse was collected from the "gentlemen,"<sup>2</sup> according to their holdings and occupation, whether of land or stone. In 1607 Mr. Archibald Livingstone was translated to Athelstaneford, and was succeeded in 1608 by John Bennet, A.M., son of John Bennet, minister of Heriot. He held office till 1616, when he was translated to Kirkurd, and was followed in Broughton by John Douglas, A.M., who had been minister of Kilbucho from 1614.

Mr. John Douglas died during his first year's service in Broughton, and in 1617—Episcopacy having been established by King James VI.

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<sup>1</sup> The rounded vault in the churchyard was known as St. Maurice's cell. It has recently been excavated and restored by Mr. James Grieve. Parts of it are evidently of great antiquity and may be the remains of the cell founded by St. Llôlan.

<sup>2</sup> The names of the chief heritors are given: the laird of Haldane—probably George Haldane, who married Nicole Tweedie (p. 250); the laird of Langlawhill—his name was Inglis (p. 262); William Scott of Stirkfield, who would probably be a sub-vassal holding from the Naesmyths (p. 266); William Weir of Burnetland (p. 270); William Cockburn, John Paterson, James Brotherstones, William Dickson, James Smyth, Adam Thomson, William Hamilton, John Tweedie, and Robert Williamson on behalf of John Tweedie. These last nine are not designed and may have been vassals of Mowat of Stonehouse, who is not named, but who was proprietor of one-half of the barony (p. 251). About one of them, William Cockburn, the minister, complained to the Presbytery that he would neither accept the office of Eldership nor resort to the hearing of the Word.



—the Bishop of Glasgow nominated Mr. James Dickson as minister of Broughton, and he held office apparently till 1644, although he was suspended in 1619 by the Presbytery for drinking and unruly conduct. William Weir of Burnetland was suspected in 1625 of having broken the pulpit of the church, but he denied the charge, which was not proved.

Mr. Robert Brown was in office from 1644 to 1659, when he was translated to Lyne and Megget. At a Presbyterial visitation on 14th January, 1646, James Paterson, a parishioner of Glenholm, charged the minister with being a follower of Montrose, and with having induced Sir David Murray of Stanhope<sup>1</sup> to join his army. On being questioned, Paterson could only say that he had heard "a clashe that Sir David would not have gone that gaitt were it not Mr. Robert." The accusation was found to be groundless, and Paterson was denounced as a slanderer; his own minister, Mr. William Dickson (p. 338), stating that the whole parish considered "he was lowse in his tongue, and wavering in his reports and promises, and verie inconstant in his words."

In 1661 Robert Eliot, A.M., son of Mr. Robert Eliot, minister of Linton, was presented to Broughton by the patron, John, Earl of Wigtown, but he did not hold the position long, for in that year covenanted Presbyterianism, which had succeeded the first Episcopacy in 1638, was in turn succeeded by the second Episcopacy and the "killing time" of Charles II. and James VII., which lasted till 1689. The result was that Mr. Eliot was deprived of his office in 1662 by Act of Parliament (11th June) and of the Privy Council (1st October).

In 1668 the Earl of Wigtown presented George Seton to Broughton, and he remained till 1672, when he was translated to Fyvie. In his time the Archbishop ordered the manse to be valued, in order to ascertain how much it had "worsted" since the previous valuation. A sum of 200 merks was required to put it in repair.

In 1673 Mr. James Simson was appointed minister, and was there till 1683, when he was transferred to Drumelzier. He was succeeded in 1684 by Alan Johnstone, A.M., who had been assistant at Birsay, and who was translated the following year to Carstairs. In 1686 William Simson, A.M., had a nomination from the Archbishop, but he was deposed for "charming," although he was still in office in 1691.

From 1688 to 1692 the Presbyteries of Biggar and Peebles were united. In 1690, Episcopacy having been abolished, the Church of Scotland was established on a Presbyterian basis which remains to this day, and in April of that year Mr. Robert Eliot, who, as we have seen, was deposed in 1662, returned to Broughton in virtue of the Act of Parliament (28th April, 1690) restoring the Presbyterian ministers. He was translated to West Linton in 1691.

In March, 1691, Mr. William Simson was still at Broughton, and was quite willing to become a Presbyterian, but the parishioners disowned

<sup>1</sup> He was then the proprietor of the barony of Broughton (p. 253).

him. They objected to his doctrine, for he preached an ability in man to come to Christ of his own free will ; they said he was negligent, that he swore " by his conscience," that he was seen overtaken with drink, that he seldom prayed with his family upon week days, and but sometimes on the Sabbath, that he declined to read the proclamation from King William and Queen Mary, but contumaciously threw it down at the kirk door ; and they told him to his face before the Presbytery that he had not a Gospel walk and conversation becoming a minister. The Presbytery accordingly declared the church vacant, " the said Mr. William . . . making a good deal of clamour and noisily protesting against them." He appealed to the Synod, but the judgment was upheld.

The church and manse were reported on as ruinous in 1692, and it was ordered that £500 11s. Scots be spent on them. The expense came to more than that, viz. £693 6s. 4d. for the manse and £247 for the church, and in 1693 the heritors were ordained to pay these sums.

The next minister was appointed in 1697—John Bell, A.M., son of a merchant in Glasgow. According to a minute of Kirk Session in 1699, the elders and deacons were ordained in rotation to go forth each Lord's day between the lecture and the sermon with John Taylor, the kirk officer, and search the " toun " and Mains of Broughton for drunkards and " vagors " in time of divine service, and delate them to the Session. In these days the Session held meetings of " privy censure," when the life and conversation of the elders and deacons were inquired into, and for that purpose they were removed from the meeting two at a time while the remainder " discoursed on " them. If nothing censurable was found they were " approven." The church bell was used for burials, and in 1699 was in need of repair. To raise funds for this it was decreed that 6s. Scots be charged for its use, and in addition the bellringer was to get 2s. Scots for his pains.

In 1700 the Session took further steps against " untimorous drinking," and enacted that all persons, except travellers, found drinking or tippling in alehouses or anywhere in the parish after nine o'clock at night were to be censured as tipplers. The same year—the Session were evidently anxious to discharge their duties fully—the elders were authorised to " interrupt " such as left the church before the service was at an end, except in cases of sickness ; and in order that the Confession of Faith might be understood, it was agreed that members living near each other should read together a set number of chapters, mark their difficulties, and bring them to the Session from time to time.

In 1701 Lady Anne Bruce, wife of Sir David Murray of Stanhope, the principal heritor, presented a green pulpit cloth with a silk fringe, and the Session were sensible of her Ladyship's kindness to them and respect to their minister.

Mr. John Bell was in office till 1701, when he was translated to Gladsmuir, and was succeeded in 1702 by Thomas Simson, who had been schoolmaster at Dolphinton and afterwards at Biggar. In his

time the manse was repaired (1710) at a cost of £359 17s., and the Session in 1724 gave "money out of the box" towards the building of two meeting-houses for worship, one at Carrickfergus in Ireland, and the other at Brampton in the north of England. They also contributed by order of the General Assembly the sum of £4 17s. Scots for the building of a church in New York.

Mr. Andrew Richardson, presented by the Earl of Wigtown, was minister from 1735 to 1751. He was transferred to Inverkeithing, and Mr. Andrew Plummer was then presented by the Earl of March, who had become the patron of the parish. In 1755 the Presbytery decided to rebuild the church and manse at a cost of £808 12s. and £136. In 1769 Mr. Thomas Gray became the minister on the presentation of the Earl of March, and he also became minister of Glenholm in 1802, which was then united to Broughton. He wrote the first *Statistical Account* of Broughton, and was succeeded in terms of the decree of annexation by the minister of Kilbucho, Mr. William Porteous.

#### GLENHOLM CHURCH

The church of Glenholm, like that of Drumelzier, was dedicated to the memory of St. Cuthbert, and may, indeed, have been founded by him.<sup>1</sup> In 1272 John Fraser, clerk of the diocese of Glasgow, was the patron of the church, and, as appears from a Bull by Pope Gregory dated 5th August, he granted his right to the abbot and convent of the monastery of St. Michael of Scone,<sup>2</sup> which was anciently a foundation of Culdees, but was reconstructed by King Alexander I. for canons regular of the order of St. Augustine. This transfer, however, does not appear to have been carried out, as there is no evidence that the patronage rights were ever exercised by the abbey of Scone. In any case, by the end of the fifteenth century the patronage of Glenholm was in the hands of the King.<sup>3</sup>

"Maister Wylyan of Twede" was parson of the parish and dean of Peebles in 1480.<sup>4</sup> On 21st October, 1493,

<sup>1</sup> Renwick, *Historical Notes*, p. 222.

<sup>2</sup> *Ibid.* p. 223, where the bull is quoted in full. It was signed at *Urbem Veterem* (Orvieto in central Italy) in John Fraser's chamber.

<sup>3</sup> It is not unlikely that the patronage remained with the Fraser family and passed with the lands of Glenholm to the Earl of Douglas in 1439 (p. 273). After the forfeiture of the Douglas estates, the patronage would revert to the Crown.

<sup>4</sup> Peebles Records.

there was a dispute before the Privy Council between two rival claimants, Master Thomas Lowis and Sir Alexander Simsone, and the latter, who had a presentation from the King, was successful.<sup>1</sup> The rectory was rated in Baia-mund's Roll at £40, and in the *Libellus Taxationum Regni Scotiæ* at £16 13s. 4d.: in the latter the vicarage is valued at £3 6s. 8d. At the Reformation the parsonage was reputed to be worth £73 6s. 8d.<sup>2</sup> The benefice does not appear in the *Taxatio Ecclesiæ Scoticanæ*.

In the beginning of the sixteenth century, King James IV. transferred the revenues of seven parish churches of which he was patron, to the Chapel-Royal of Stirling,<sup>3</sup> which in 1501 had been erected into a collegiate church with a dean, canon, chanters, chaplain and others. One of these churches was Glenholm, which from that time would be served by a vicar instead of an independent parson. After the Reformation the revenues of the Chapel Royal were at the disposal of the Crown, and were applied in a variety of ways, but provision for the parish ministers was a first charge.<sup>4</sup> In a "Report on church affairs between 1610 and 1625" it is stated with reference to the Chapel Royal that "the person of Glenholm hes 50 mark, and hes sold it to my lord Wigton," and there is added the word "Vaikand." The Wigtown family had become the patrons of the parish in 1595-6 (p. 274), and as a result further contributions from Glenholm to the Chapel Royal would cease.

The first minister after the Reformation of whom there is record is James Stewart, who was presented by King James VI. on 3rd August, 1571, and the reader at Broughton and Glenholm in 1574 was Walter Tweedie. In 1592 John Hepburn, A.M., one of the original students of Edinburgh University, was in office, and he was translated to Morton. The patronage then passed from the Crown to Lord Fleming, but he did not make a presentation till 1599, in which year Alexander Fleming, perhaps a kinsman of the patron, became the minister.

<sup>1</sup> Renwick, *Historical Notes*, p. 226.

<sup>2</sup> *Origines*, i. p. 180.

<sup>3</sup> This was a foundation of King Alexander I. King James III. intended to endow it as a musical school, but his tragic death prevented the accomplishment of that design.

<sup>4</sup> See Dr. Rogers' *History of the Chapel Royal of Scotland*, published by the Grampian Club. Transferred from Stirling to Holyrood, an establishment of canons and choristers was long maintained out of the endowments. During Episcopacy, the Bishop of Galloway, and latterly the Bishop of Dunblane, held the deanery; and after its abolition the annual income was divided into three parts and paid over to so many clergymen, styled deans of the Chapel Royal. This system continued till 1863, when the endowments were settled on the four Scottish Universities (Renwick, *Historical Notes*, p. 248).



The presentation was dated at Boghall on 6th June, and he was ordained on 27th July. The parishioners being asked, said they were content to accept him, and in their presence Lord Fleming, in token of their consent, took the new minister by the hand.

Some particulars are given of the church in 1602, when it is stated to be a new patronage at the gift of Lord Fleming, the rental "of old" being four score bolls victual, and yielding Lord Fleming 300 merks. There were 200 or thereby communicants. About the same time the minister had trouble with the Porteouses of Hawkshaw and Glenkirk in connection with the murder of George Hunter, brother of the laird of Polmood.

There was a Presbyterial visitation in 1603, when the minister of Skirling, Mr. Robert Livingston, discoursed on Matthew x. 30. Nothing was found in the minister of Glenholm, either concerning his person, office or family, but that in the Lord is commendable. Everything was in good order except the kirkyard dyke; there was no bell for the kirk, but this was to be provided. In 1604 the minister of Glenholm, along with others, complained to the Presbytery that there was a falling off in church attendance by the people resorting "to Drenehau, Braidlye and other insolent places of auld" and by "drinking and playing there wantonly." The Presbytery ordained that "every brother travel earnestly with their parish, that each person resorting thereto after that manner shall make their repentance . . . ere they get any benefit of the kirk."

Alexander Fleming was continued in office in 1608, and was probably later translated to Dalgarno. He was succeeded in 1614 by John Young, A.M., of Edinburgh University, who was compelled to complain to the Presbytery about 1618 that his stipend was insufficient, as the tacks of the teinds were expiring. The Presbytery were sympathetic, and promised to speak to the Bishop of Glasgow about it. He also complained about his glebe, which apparently had been encroached upon, and the position of it was fixed or "designated" of new on 2nd March, 1619. But that gave offence to William Tweedie of Wrae, who removed the march stones and sowed the ground, and was accordingly summoned before the Presbytery. The landowners in the parish were not remarkable for their docility, and they had little respect for church discipline. Geddes of Rachan, Tweedie of Wrae, Crichton of Quarter, and Porteous of Glenkirk—they all at one time or another were rebuked and censured for their actions, but they paid little heed. Many a visit to the Presbytery the minister had to take for powers to deal with his recalcitrant flock, and on one of these visits in 1624 he had the misfortune to fall and break both of his legs. In 1632 he gave £10 towards the building of the library in Glasgow University.

The next minister was Robert Johnston, A.M., of Glasgow University, who was appointed in 1636, in which year he also contributed £10 towards the library.

In 1640 the Presbytery of Peebles met at Glenholm for the purpose

of trying four persons suspected of witchcraft—Gilbert Robison, Isobel Cuthbertson, Liliass Bertram and Malie Macwatt. One of the charges was that they had advised parents to take their children when they were ill to a south-running stream, and among other questions put they were asked if they had any acquaintance with one Graham, a warlock, who had been burned at Peebles. The result is not recorded, but the first named Gilbert Robison was generally looked on as a noted warlock, and he was in prison the following year.

Robert Johnston was followed by William Dickson in 1644, who had a long ministry. In 1650 the church was ordered to be repaired with "comely" slates, a bell was provided and the manse repaired, all at a cost of 1000 merks. Andrew Hay of Craignethan, a staunch Covenanter, lived about this time at Stane, a small property in Coulter belonging to the Dicksons of Hartree. He was an elder of Biggar, and was frequently a member of the visitation committees. In his diary, 1659-60, there are references to his visits to Glenholm, and also to Kilbucho and Broughton. On 2nd June, 1659, he was at Glenholm, and records:—

"I found them by their professions to be sancts almost all, for each one gave uthers a good testimony, which made me suspect them the more. Thereafter we appointed the heritors to meet and stent themselves for a bell, for grasse to the minister, and reparation of the manse, and to give us their determinat ansr. this day month. I dynd with the minister with the rest, and we sat afternoone till neer 7 at nyt."

William Dickson conformed to Episcopacy at the Restoration. There was a visitation of the Presbytery in 1668, when he was "exhorted to continue paynful, faithfull and exemplarie, as the elders hes testified of him." The church was in bad repair at that time, there was no settled maintenance for a schoolmaster,<sup>1</sup> and William Porteous of Glenkirk refused to pay over a sum of 300 merks which his father had mortified for the use of the poor. Legal proceedings had to be resorted to against Porteous, and the heritors were applied to for the repairs needed to the church and for the schoolmaster's salary. In 1673 the minister, now an old man, applied to the Presbytery for an assistant, and suggested Mr. Joseph Vallance, but the following year the Presbytery intimated to the people of the parish that they must take measures themselves.

William Selkrigg, A.M., was appointed in 1679, and the same year the manse was valued as it stood at 550 merks. In 1680 an order from the Archbishop was received that four souns of grass were to be provided for the minister, and the Presbytery appointed the treasurer of Peebles, the kirk officer and three burgesses, who perambulated the ground nearest the glebe and marked out with a spade the part they considered suitable.

In June, 1681, a great conventicle was held on the common at the head of Glenholm—no place could be more beautiful or more appro-

<sup>1</sup> Alexander Brown was schoolmaster in 1664 and 1666.

priate—and it was addressed by the famous Donald Cargill, who lectured on the sixth chapter of Isaiah, and preached from Romans xi. 20, “Be not highminded, but fear.” That was only six weeks before his death in the Grassmarket of Edinburgh.

In 1684 complaint was made to the Presbytery that James Brown, who taught the laird of Cardon’s children, had not taken the test, and the minister was ordained, in the event of Brown refusing, to report to the Sheriff. In 1688—the close of the second Episcopacy—from a statement submitted by the minister, it appears that his salary was 700 merks, that the glebe extended to four acres, and that in addition pasturage was provided for a horse and two cows. Twenty merks was allowed for Communion elements. The schoolmaster’s fee was 100 merks, but was not paid, and there was a mortification of 300 merks for the poor. In the same year, and although Mr. Selkrigg was still in office, the parishioners petitioned the Presbytery for a minister, and two were appointed temporarily, Mr James Brown, probationer, and Mr. James Thomson. To what extent Mr. Selkrigg continued to discharge his duties is not known, but on the restoration of Presbyterianism he was quite willing to conform, for he never approved of the “killing times,” and in fact he read the proclamation of the Estates and prayed for their Majesties, William and Mary. However, a noisy section of his congregation refused to allow him to continue; he was threatened by some, and others put a lock on the church door to keep him out. The result was that he resigned his charge by a letter dated 7th October, 1690:—

“I, Mr. William Selkrigg, minister of the Gospel, for as much as since this Revolution I am sensible that I cannot continue in my Ministry at the kirk of Glenwholme with the desired success, therefore for the good of that people, to whom I wish all the blessings of the Gospel of peace, I do hereby pass from and demit any pastoral relation I had to the people and Congregation there. . . .”

This resignation was subject to the Presbytery giving him a certificate that he had obeyed the proclamation of the Estates of 13th April, 1689, and that the action was voluntary on his part. On 29th January, 1692, he was received into communion by the General Assembly, and it is recorded of him that he had never been “an enemy or persecutor of any, but ready to do them favours, which caused his being ill-looked upon by the Episcopal party and complained upon because he went not to that excess of severity which at that time was run into.” He was afterwards settled at Falkirk.

After Mr. Selkrigg’s departure, an attempt was made to call Mr. James Brown, the minister of Kilbucho, but the proprietors of “Whytsyd” (probably intended for Whitslade) and Glenkirk did not or would not sign. Two of the Presbytery on 5th August, 1691, were appointed to speak to these proprietors, but the result is not disclosed, and five years elapsed before the next minister was appointed, Robert Horsburgh, A.M. of Edinburgh University.

At his settlement the manse was visited, and the heritors had to spend £598 Scots in putting it into proper repair. He was in office till 1702, when he was translated to Prestonpans. He died in 1724 at the age of 54, "a man of solid judgment and able disputant of speech."

From 1703 to 1748 Mr. Simon Kellie, translated from Walston, was the minister. On his way to Glénholm on 31st March, 1703, he was violently detained by several women of his former parish, for what reason does not appear, and he did not take up his duties till 22nd April. In 1707 an expenditure of £138 1s. 6d. was authorised on the church and manse. The following year the patron, the Earl of Wigtown, was requested to use the vacant stipend for the building of bridges over Holms Water, this being deemed a pious use, as the parishioners through the want of bridges were frequently hindered from coming to church. The same request was made for the parish of Broughton. In 1733 the church was again repaired at a cost of £75 6s. Mr. Simon Kellie<sup>1</sup> died at Glenholm on 27th December, 1748, and his memorial tablet on the gable of the old church is still in existence.

The last minister of Glenholm was Bernard Haldan, A.M. of Edinburgh University. He was presented in 1743 by William, Earl of March and Ruglen, who had acquired the patronage from the Wigtown family. During his time the church was rebuilt or repaired. One of his sermons was published in 1756, *The Foundations of Religion and Morality*. He also wrote in 1793 the first *Statistical Account* of the parish. He demitted office in 1802, "after discharging the duties of his ministry with zeal and fidelity," and died in 1805. It is rather remarkable that the last two ministers of Glenholm covered between them one hundred years of service.

Mr. Haldan was succeeded by Mr. Thomas Gray, the minister of Broughton, and that parish and Glenholm constituted a joint charge till his death in 1810, when Mr. William Porteous, minister of Kilbucho, became the first minister of the three parishes.

### KILBUCHO CHURCH

It is said that the ancient church of Kilbucho was dedicated to St. Bega,<sup>2</sup> a holy virgin, who is reputed to have lived in the seventh century, and to have been the founder of the nunnery in Cumberland which bears her name, now transformed into St. Bees. There is still a St. Bees' Well

<sup>1</sup> He was the eldest son of John Kellie, tailor, burgess of Glasgow, and as such was made a burgess of Glasgow on 12th April, 1707. He had property in Bridgegate, Glasgow, and also in Biggar. His daughter Helen married George Deans, tenant in Chapelgill, and their family is now represented by Mr. George Deans Ritchie, who farmed Chapelgill and Cardon for many years (p. 307).

<sup>2</sup> For further information see Renwick, *Historical Notes*, p. 253, and *Annals of a Tweeddale Parish* (1924), p. 228.



near the ruins of the last church of Kilbucho, which was situated on the Mitchellhill burn. Another theory, and a more likely one, is that the church was founded by St. Be-oc, one of the associates of St. Llôlan, who founded the church at Broughton (p. 254).

Cospatrick, hermit of Kilbucho, and Gilbert, parson of Kilbucho, are both mentioned as witnesses to the perambulation of the marches of Stobo in 1200.<sup>1</sup> This Gilbert and another parson, Gameline, are referred to in an endowment (p. 162) between 1233 and 1249 by Christiana, a daughter of Adam fitz Gilbert, and his wife, Idonea, sister of William Comyn, Earl of Buchan. The church remained in the gift of the Lords of the Manor, who have already been referred to (p. 312), and its revenues in 1477 were bestowed by James, first Earl of Morton, upon the collegiate church of St. Nicholas at Dalkeith,<sup>2</sup> under reservation of a suitable provision for a vicar at Kilbucho, who would have the cure of the souls of the parishioners there ;<sup>3</sup> and the Earl had the right of presenting the vicar and also the canon of the collegiate church,<sup>4</sup> to which church the tithes of the parish were in consequence of that bequest appropriated till the Reformation. In 1493 Mr. William Lauder was in charge of Kilbucho, the parsonage and vicarage of which are valued together in Baiamund's Roll at £80. The parsonage alone is rated at £53 in the *Taxatio Ecclesiæ Scoticanæ*, and in the *Libellus Taxationum Regni Scotiæ* both together are taxed at £20. Both were let at the Reformation for £80, and in 1561 the vicar pensioner reported his share of the fruits to be worth £12.

<sup>1</sup> Reg. Glasg. p. 89.

<sup>2</sup> In 1372 Sir James Douglas founded an altarage in honour of St. Nicholas in a chapel then existing in the village of Dalkeith, and endowed it out of the lands of Horsburgh in Peeblesshire. In 1406 he granted further endowments, and the chapel became a collegiate church with a provost and five chaplains. In addition to the revenues of Kilbucho church, the Earl of Morton in 1477 also bestowed the profits of the churches of Newlands, Peeblesshire, and Mordiston, in the diocese of St. Andrews.

<sup>3</sup> Reg. Morton, ii. No. 230.

<sup>4</sup> The admission of the vicar lay with the ordinary of the diocese (Glasgow) and of the canon with the provost of the collegiate church.

In 1550 Sir William Porteous was the vicar, and he was installed in office by entering the church and touching the font, and receiving the book, chalice and vestments of the great altar. Among those present at this ceremony were William Porteous of Glenkirk, who was no doubt a near relative, and Walter Tweedie of "Mote" or "Moitt," which seems to be the old name for the property now known as Kilbucho Mains. This vicar survived the Reformation, and adopted the new tenets. His name appears as "reader" at Kilbucho in 1567 with a stipend of £13 6s. 8d. and £4 as his share of the vicarage pension.

The parish did not have a separate minister for some years, as there was a scarcity of suitable men after the Reformation, and it became the custom to unite several parishes under one minister with readers or exhorters under him. In 1574 Ninian Hall was appointed minister of Biggar, Lamington, Hartside, Coulter, Kilbucho and Symington, with a salary of £114 13s. 4d., the reader at Kilbucho being Andrew Jardine. Walter Tweedie was reader at Kilbucho in 1591, and for some years prior to that. In 1595 Robert Livingston became minister of Drumelzier and other parishes, including Kilbucho. The following year, however, steps were taken by the Presbytery to have a separate minister for Kilbucho, with the result that on the presentation of the patron, the Earl of Morton, Mr. John Weems, who was translated from Flisk, was appointed, and admitted on 10th July, 1597. The parishioners declared they were content to receive him as their minister, and in sign and token of their contentment Alexander Tweedie of Moitt took him by the hand.

As appears from the records, Mr. John Weems had many difficulties to contend with during his ministry. To begin with, he had long and troublesome cases of discipline (apparently for adultery, but practically no particulars are given) against John Brown of Goseland and George Brown in the Cleuch, who were relatives of the Browns of Hartree, and who were both excommunicated, although the sentences were relaxed later, at least in the case of George Brown. Then he himself came under rebuke from the Presbytery because of his absence from the parish, but he had an excellent reason for that, as he had no manse. In 1601 there was a visitation of the parish, when nothing was found reprehensible in the conduct of the minister except his non-residence, and this was the fault of the parishioners,

"that hold back from him both Living, Glebe and Manse, and cannot accord to let him have the same peaceably wherethrough sundry disorders fall out in their parish."

The church and manse were desolate and ruinous, services were conducted in a barn; the churchyard was profaned by the next two "touns" (probably the farms of Mitchellhill and Blendewing), who cast down the dykes and allowed their cattle to graze there; and there was no visitation of the sick and discipline was not administered, because the Session seldom met, and the poor were neglected and defrauded of their alms. That was a serious state of affairs, and at

the instigation of the Presbytery arrangements were made with the heritors and the parishioners for the rebuilding of the church and manse, and weekly meetings of elders and deacons were ordained to remedy the other abuses. The minister's stipend was 83 bolls meal and 15 merks silver, and the Presbytery thought that sufficient, and accordingly ordained him to reside in his parish, which he agreed to do provided the parishioners did their duty to him. Unfortunately the parishioners failed to carry out their part of the bargain, and further visitations were necessary. In 1602 the church was reported on, and there were about 200 communicants, but nothing had been done towards building the church and manse. In May, 1603, the minister complained of the negligence of his elders, and that his parishioners were profaners of the Sabbath and despisers of the Word, and "a great slackness in them all to further the repair of their parish Kirk." The Kirk Session was reconstituted, and the Presbytery appointed the following heritors to guarantee payment of the amount required for rebuilding of the kirk, viz. :—The laird of Hartree or Smithfield for his £25 lands, the Goodman of Moitt for his £10 land, John Porteous for Blendewing, William Mertoun (probably a mistake for Newtown), and John Thriepland for Mitchellhill, Thomas Tweedie of the Moitt for Kilbucho, and Andrew Brown for the Cleuch. But a month later the minister had again to complain that the church was not being built, that the Sabbath was still being profaned, and that his Session were negligent in matters of discipline. To this, "indifferent" answers were given in promising "amendment and assistance for the remedy of the said enormities." The week following there was another visitation, which this time appears to have been effective. A definite undertaking to build the church was entered into under a penalty of 100 merks for each £10 land. Mr. John Weems was still minister in 1608, but owing to a blank in the records of the Presbytery of Peebles from 1605 to 1616 there is no further information available as to his relations with his backsliding flock.

In 1614 John Douglas, A.M. of Edinburgh University, was appointed minister, and held office till 1616, when he was translated to Broughton, where he died the same year. Five years elapse before there is any record of his successor, and during that time the parish was probably without a minister. From 1621 to 1647 Robert Eliot, A.M. of Edinburgh University, was in office. He was not admitted to the charge till September, 1622. The manse was still in need of repair, and there was a visitation of the Presbytery in 1623, when the cost of building was estimated at 400 merks.

There was also a dispute with Margaret Douglas, the widow of the previous minister, as to her rights. It would seem that she was actually residing in the manse, and claimed her annat. Her brother was the Sheriff of Teviotdale, and he was her adviser. There was a good deal of trouble over this matter. At a further visitation in 1624, along with the lairds in the parish, including the laird of Hartree, John Thriepland and William Newtown, portioners of Mitchellhill,

Malcolm Brown of Howslack, James Tweedie of Kilbucho, and John Brown of Cleuch, the manse—stated to be a house of six couples in length, of birk and alder—was examined, and it was estimated that the original cost of building would not exceed 300 merks, and that it was now ruinous, without doors and lintels, with the west gable fallen to the ground, also half of the roof. On 23rd December, 1624, the “questionable” controversy was settled by Mr. Eliot paying Margaret Douglas, “in full contentment” for the manse “in the very ruinous estate it now is,” the sum of 200 merks. This arrangement was noted in the Presbytery records, and also the expenses to be incurred by Mr. Eliot in making the manse habitable.

There is another gap in the Presbytery records between 1626 and 1649. In September, 1628, at a visitation of the church, the minister complained of John Thriepland (of Mitchellhill) muttering and whispering to the congregation during the sermon, also that he had followed him (the minister) the same afternoon to Hartree armed with sword and whinger, with intent to fight. This complaint was found justified.

Mr. Eliot contributed £10 in 1632 towards the library of Glasgow University, and was a member of Commission of Assembly in 1645-6. In the beginning of 1647 he was translated to West Linton, where, although refusing to conform to Episcopacy at the Restoration, he was allowed to remain, and died in 1682 in the 61st year of his ministry.

Alexander Bertram, A.M., Edinburgh University, succeeded Mr. Eliot in Kilbucho on 12th July, 1647. He was the second son of William Bertram of Nisbet,<sup>1</sup> who was an unflinching Covenanter, and the son was of the like mind, and suffered in consequence great hardships after the restoration of Episcopacy in 1661, when he was expelled from his charge. Having refused to accept the Indulgence of 1672, he was summoned before the Privy Council, and not appearing, was denounced as a rebel. Later in the same year he was complained against in the Synod of Glasgow for keeping conventicles, and after the battle of Bothwell Bridge (1679) made his escape to Holland, where he probably died.

After the suspension of Mr. Bertram from Kilbucho, William Allison, A.M., was admitted in his place by the Archbishop of Glasgow. He had previously been minister of Kirknewton. In 1667 there was a visitation of the manse to ascertain what the present minister had expended upon it and what was still necessary to make it “complete as a dwelling-house.” It was found that the minister had expended £43, and that to make a loft over the hall of the manse would require 60 deals, 150 flooring nails, and 30 loads of lime for pointing and casting the walls within and without. In 1668, at the usual Presbyterial visitation, the elders stated that the minister had not given the Sacrament since his appointment. To that the minister replied that

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<sup>1</sup> His great-grandson purchased the estate of Kersewell in the parish of Carnwath, which is still held by the family.



he could not get the elders to serve at the Lord's table, and he had no Session to inform him of the scandalous that he might debar them. In 1680 there was a William Tweedie in Kilbucho, a Covenanter who had fought at Bothwell Bridge, and desired to be married. Mr. Allison craved the Presbytery for their advice, and they ordained that Tweedie should acknowledge and repent of his crime, which he did. According to a statement given in at the close of the second Episcopacy, the stipend at Kilbucho was 500 merks, 2 chalders of meal and 6 of bear. The glebe extended to four acres, with four souns of grass. No fee was allowed the schoolmaster, and nothing for Communion elements; and there was a mortification for the poor of 300 merks from Lord Hartree which then amounted to 800 merks, showing that there was practically no poverty in the parish.

In 1689 James Brown, A.M., Edinburgh University, having passed his trials as a probationer, was desired by Kilbucho, but Mr. Allison was still in office, and apparently quite willing to conform to the Revolution Settlement. The Presbytery on 29th August, 1689, recommended the parish "to take a legal course" for removing Mr. Allison. Accordingly, the following month complaint was made against him that he had prayed for King James, but not for King William and Queen Mary. Mr. Allison, who was old and deaf by this time, denied the charge, saying that he had prayed only for the reformation of King James, and was acquitted by the Privy Council on 17th September. In spite of that, the parish and Presbytery went on with their arrangements for the calling of Mr. James Brown. He passed all the trials satisfactorily, and was ordained and admitted as minister on 5th June, 1690. But Mr. Allison must be got rid of, and to that end a threefold charge was brought against him:—(1) That he had intruded himself on the parish when Mr. Alexander Bertram, the lawful minister, was alive; (2) that he had passed by persons guilty of public and notorious scandals without censure; and (3) that he had deserted the parish and had failed to reside there since 13th June, 1689.

This charge was tried on 25th September, 1690. His desertion of the congregation was found proved, also his negligence in calling scandalous persons to account, and this old and infirm minister was deposed, and Mr. Brown reigned in his stead.

Less than a year afterwards Mr. Brown received a call from Glenholm, and apparently he was not finding Kilbucho a congenial place, as, according to a minute of the Presbytery of 5th August, 1691, he had no legal maintenance and wrestled under many difficulties. This call, however, was not accepted, as it was not fully signed (p. 339), but in September, 1691, there was another call, from Walston, and he was removed to that parish, where he remained till September, 1695, when he was recalled and readmitted to Kilbucho. In 1697 he was translated to Aberdour in Buchan, and Kilbucho was without a minister for three years.

In 1700 Mr. John Tait was ordained as minister, and there is nothing

to record of him except that he had a long ministry of fifty years. In 1707, £1000 Scots was allotted by the heritors out of the vacant stipend or free teind as a fund from which to pay a salary to a schoolmaster. Mr. Tait was succeeded by his son William, who was presented by William Dickson of Kilbucho.

Mr. William Tait's ministry extended till 1784, and he was succeeded the following year by Mr. William Porteous, who was presented by Captain William Dickson of Kilbucho. A son of Mr. John Porteous, schoolmaster, Biggar, he was born in 1745, licensed by the Presbytery of Biggar in 1775, and acted for some time as tutor to the family of Loch of Rachan and also as schoolmaster at West Linton. He was the last minister of Kilbucho as a separate charge, to which he was ordained on 31st August, 1785. On the death of Mr. Thomas Gray of Broughton in 1810 he succeeded to the united parish of Broughton, Glenholm and Kilbucho, in terms of the decree of annexation of 1794.

William Porteous was a man of eccentric ways,<sup>1</sup> but known as an able scholar and theologian, and was regarded by Professor Lawson of Selkirk as one of the greatest men of his time in the Church of Scotland. His stipend at Kilbucho was small—£43 7s. 4d., with 48 bolls of victual and a glebe of a few acres—but he left a considerable sum to his relatives, and £100 to the united parish for charitable purposes. He died on 31st May, 1813.

## THE UNITED PARISH

### THE PARISH CHURCH

The first minister, as we have seen, was Mr. William Porteous, from 1810 to 1813. A new church—on the site of the present one—had already been built at Calzeat in the spring of 1803 to seat 400. The site was a suitable one, in the centre of the combined parishes, and on the west side of the highroad.

The Rev. Hamilton Paul,<sup>2</sup> who succeeded Mr. Porteous, was well known in his day. He was born in Dailly, Ayrshire, in 1773, educated in the parish school there, passed through Glasgow University (where he became a close friend of Thomas Campbell, the poet, afterwards Lord Rector of the University), and was licensed by the Presbytery of Ayr

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<sup>1</sup> Stories are told of him. In stormy weather he conducted the services in the manse kitchen, and he would suddenly interrupt his sermon by telling one of his hearers who was sitting nearest the fire to "Steer aboot the kail pat," or by asking his sister, who kept the house for him, to put more peats on the fire, or as his discourse was drawing to a close "to clap the potato pat on the swee."

<sup>2</sup> See vol. i. p. 201.

in 1800. He was presented to Broughton by Richard Alexander Oswald of Auchincruive, and ordained on 30th December, 1813. Two years later the present manse was built on a site below the church, adjoining Biggar Water. Here he was visited by his friends Campbell and Lord Cockburn. Burns he knew and admired, and published an edition of his poems in 1819. Hamilton Paul's other publications were :—*Epistle to the Female Students of Natural Philosophy in Andersonian Institution, Glasgow* (1800); *Friendship Exemplified*, a sermon (1803); *Vaccination, or Beauty Preserved*, a poem (1805); *A Fore-taste of Pleasant Things* (1819); besides poems, songs, and magazine articles. He also wrote the second *Statistical Account* of the parish in 1834. His sermons, according to the *Fasti Ecclesiæ*, exhibited extensive learning and singular originality of thought.

"In private society he was universally beloved. As a companion he was most engaging, and the best story-teller of his day. His power of humour was unbounded. His anecdotes are familiar over a wide district, and many of his sayings have become proverbial. Hospitable, kind and charitable to a fault, he was a friend alike to the rich and poor, while the ease of his manner, the variety and extent of his information, the readiness and point of his wit, attracted men of taste and learning from different quarters."

He died unmarried in 1854, aged 81.

The Rev. Alexander Thomas Cosens, minister of Fossoway, was the third minister of the united parish, and remained there until his retirement in 1891. He died in 1907, a man deeply respected. In 1886 the church was practically rebuilt.

The Rev. Andrew Baird, B.D., who is still in office, became colleague and successor to Mr. Cosens in 1892. He was then assistant of Shotts Parish Church. In 1902-3 he acted as chaplain to the South African Field Force, and in 1922 was one of the delegates from Glasgow University to the septcentenary celebrations of Padua University. He published in 1924 a descriptive account of the district under the title *The Annals of a Tweeddale Parish*, and in the preparation of this chapter the editors are indebted to him for valuable assistance.

#### THE UNITED FREE CHURCH

At the Disruption of the Church of Scotland in May, 1843, the Rev. Hamilton Paul was not of those who "came out," but there was a considerable number who were strongly in favour of the new Free Church, and for them the barn at Rachan was fitted up as a temporary place of wor-

ship. Arrangements were at once made for the building of a church, and ground for the purpose was feued. The site was on the highroad at Calzeat about a hundred yards south of the Parish Church. The foundation-stone was laid on 19th July, 1843, by Robert Welsh of Mossfennan "in presence of a great assemblage of people," and the church was opened the same year on 15th October by Dr. Thomas Chalmers.<sup>1</sup> The church was in the form of a headless cross. It was remodelled in 1892, and is beautifully situated amid trees.

The day after the church was opened Mr. William Welsh—afterwards Dr. Welsh, as he received the degree of D.D. from Edinburgh University—was ordained as the first minister of Broughton Free Church. He had been called to that position on 24th September. Dr. Welsh was born at Cardon in 1820, and was a nephew of the laird of Mossfennan, on whose death in 1855 he succeeded to that estate (p. 280). He was a kinsman of the Rev. Professor David Welsh, D.D. (p. 390), who was the retiring Moderator of the General Assembly of the Church of Scotland at the time of the Disruption, and who, along with Dr. Chalmers and Dr. Macfarlane, led the revolt. Dr. Welsh's call was signed by 132 members, and in 1846 there were 246 names on the communicants' roll, of which 162 lived in the united parish and the remainder in Tweedsmuir, Drumelzier, Dawyck, Stobo and elsewhere. A school and teacher's house was built in 1845, and in 1849 the present manse, which stands immediately opposite to the church.

Dr. Welsh's memory still lingers, for he was a man beloved and highly respected. He had a long and successful ministry, and died in 1892.

Dr. Welsh was succeeded by the Rev. Alexander Gray, a native of Aberdeenshire. He was ordained as minister of Peterhead Congregational Church in 1882, admitted to the Free Church in 1884, and inducted as colleague and successor to Dr. Welsh in 1885. In 1900 the Free and United Presbyterian Churches in Scotland were united. Mr. Gray died in 1911.

The next minister was the Rev. Alexander Scott Berrie, from Earlston. He was ordained minister of Firth United Presbyterian Church in Orkney in 1893, inducted at Arthur's Hill Presbyterian Church, Newcastle, in 1897, at Keiss, Caithness-shire, in 1907, and at Broughton in 1911. He resigned his charge to become minister of the parish church of Abbey St. Bathans in 1918, and was succeeded by the Rev. Alexander Campsie, M.A., M.C.

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<sup>1</sup> He admired the scenery and the "sober uplands" of Peeblesshire. "I like these quiet hills," he said. "Hills all bare like these, are what I call the statuary of landscape."



Mr. Campsie served in the Great War as a combatant, and was awarded the Military Cross. He was ordained on 4th February, 1919, and resigned in September, 1920, on being appointed Presbyterian chaplain to the navy at Malta.

The present Minister, Rev. David Marshall Forrester, B.D., is a native of Keith. He was ordained to Logiealmond United Presbyterian Church in 1886, inducted at Wellfield Church, Springburn, Glasgow, in 1896, and at Broughton in January, 1921. To him the editors are indebted for assistance.

## CHAPTER VI

### THE PARISH OF TWEEDSMUIR

#### I

THERE is scarcely a parish in Scotland, hardly a village, which cannot boast of being the birthplace of a famous man.

The parish of Tweedsmuir can do more than this. If we follow the course of one of the most famous rivers in the world from where its waters, majestic in breadth and power, strive with the waves of the North Sea before they merge with them forever at the great bar at Berwick, if we journey "from Berwick to the Beild," as the old saying goes, through a hundred miles of beautiful country, we find at last, in a lonely, marshy, moorland place, the little pool which is the birthplace of the Tweed.

It was the sea whose action first formed the Tweed valley. The ice age followed, and great glaciers covered the place where waves once chafed and where the wind now sweeps down the glens of Gameshope and Talla, Fruid and Menzion, and over the grey-bouldered river over which heather and rowans hang. Those were times when history still had to be made, and only the trained geologist can tell with anything like accuracy what the Tweed uplands must have been in their loneliness those thousands of years ago, when no baser living things were there than God the Creator and Nature, His artisan.

When centuries dispelled the ice, and the grey Silurian crags stood stark and bare, Nature clothed them with thick vegetation. The higher slopes were covered with heather and bracken, hazel, juniper, thorn, rowan and birch, and by

the tumbling burns and the riverside grew ash and willow, fir, aspen and alder. "It was a forest wherever wood could grow."<sup>1</sup> In course of time that riot of trees and thick undergrowth became a famous hunting ground—the Wood of Caledon. The Earl of Huntingdon, afterwards King David I., referred to it as "My Waste," and part of it was used as pasturage for his flocks and herds. In the time of the Stewarts, and later, it was known as Ettrick Forest.

"Ettricke Foreste is a feir foreste,  
In it grows many a seimly trie;  
There's hart and hynde, and dae and rae,  
And of a' wild bestis grete plentie."<sup>2</sup>

While the upper vale of Tweed was in the making, there came to populate it the little wiry, dark-skinned, active Iberians, earliest forebears of the Border Scots. Celtic, Goidels, Celtic Brythons, Angles and Norsemen, each had their day, each their share in forming that amalgam of racehood that has produced our sturdy Border breed. From the Romans, when they built their great Wall, the Cymri took refuge in the wilds of Upper Tweeddale. There, too, when Rome had failed them, came the Romo-Britons, who for several centuries carried on a gallant struggle against the encroaching hordes of pagans from the north, and from the "Winged Hats" who sailed across the sea to ravage and destroy. "Their last refuge was the Border hills."<sup>3</sup> Both by the works of their hands and by the names they gave to places, the Cymri and those who succeeded them left their mark.

The forts of the Cymri, their "camps" or "rings," are still to be found on the hills. The "standing stones" were possibly cromlechs, or what in Cymric France are known as dolmens. The cairns of stones that mark the graves of heroes were known in Cymric as "carns" or "carnedd," and many a place-name dates from a period regarding which our knowledge must remain scanty and serves as a memento of the race which bestowed it.

<sup>1</sup> Veitch : *History and Poetry of the Scottish Border*.

<sup>2</sup> Ballad of the Outlaw Murray.

<sup>3</sup> Veitch : *History and Poetry of the Scottish Border*.

Much water had run to the sea, many centuries passed since the days of nebulous legend, when, in the twelfth century, parishes began to come into existence; but it was not until 1643 that the parish of Tweedsmuir was disjoined from that of Drumelzier, and started "fully equipped with all parochial necessities"<sup>1</sup> on its own account. Before that recognition of respectability Tweedsmuir passed through many stormy times. The mere fact that the Frasers and the Tweedies were proprietors in the parish for some hundreds of years meant that for what might have been one of the peacefulest parts of God's earth, there was no peace. For these indeed were "bloodye men," as the notorious Sir Robert Ker, writing in the sixteenth century, described some equally bloodthirsty neighbours.

In Cymric the Tweed was the Twyi, that which checks or limits. To this day, in Welsh, Twyad means "a hemming in." In 1175 Bede writes it as Tuede, and when we find the ancestors of the Tweedies, who held a large share of the lands of Upper Tweed, calling themselves Thomas or John—as the case might be—"de Tueda," it is natural to assume that their name is derived from the river. But it is not so, as it is now definitely established that the name is derived from "Twedyn" in Lanarkshire, from which the family originally came. However, the Tweedies own by tradition an origin fit for the descendants of some of the gods of Greece. According to that tradition, and as recorded by Sir Walter Scott,<sup>2</sup> an old warrior left his hills and valleys to go to the Crusades. He came home after some years to find his young wife in possession of a sturdy son. Her simple explanation was that as she wandered one day by the river, its radiant god came out of its depths, became by force her lover, and was therefore ancestor to as turbulent a race of fighting men as ever clove skulls on the Border.

"The Tweedies gart their noddles crack,  
Like auld pot-metal, yank for yank."<sup>3</sup>

"Thole and think on," the motto of the family, did not mean that their powers of endurance and their "thinking on" was invariably for the good of their neighbours. Between the families of Tweedie and Veitch—for knowledge of whom we must seek the records of other parishes—there existed a feud beside which the vendetta of the Montagus and Capulets seems merely a slight and elegant misunder-

<sup>1</sup> R. Renwick : *Historical Notes on Peeblesshire Localities*.

<sup>2</sup> Scott : *The Betrothed*.

<sup>3</sup> Robert Hogg (nephew of The Shepherd), *The Tweeddale Raid*.





R. T. Rose 1924

## TWEEDSMUIR

By Robert T. Rose



standing. The details of most of the frays and forays in which the Tweedies were engaged are also mostly in other parish records. They were possessed of many of the fortresses—strung almost as thickly as beads on a rosary—that existed for common defence, and were so often a protection against uncommon offence, along the Tweed valley. Fruid Castle, up Fruid Water, of which nothing now remains, was one of their strongholds. From its tower a signal beacon could be passed to Hawkshaw, thence to Oliver, Polmood, Kingledors, Stanhope, Mossfennan, Wrae, Drumelzier, Tinnies, Dreva, Lour, Dawyck, Stobo—even on to the very mouth of Tweed. The Tweedies showed originality in the variety of their crimes. In 1565 Adam Tweedie of Dreva, as mild a mannered man as ever cut a throat, was arraigned for “cutting off Robert Ramage’s luggis (ears) and dismembering him thereof.” Evidence was too strong for Adam to plead not guilty, so he frankly owned up and was absolved. Probably Ramage deserved all he got. Or is this a case of undue influence? for just about this time was not “Walter Tuedy,” of the Drumelzier family “exhorter” and preacher at Broughton and Dawyck? <sup>1</sup> Two Tweedies lent a hand at the murder of Rizzio, but when Mary, Queen of Scots, escaped from Loch Leven, they were found among her supporters. As late as 1654 Tweedie of Kingledors—a worldly fellow, this—brought upon himself the censure of the Kirk for having “twice or thrice broken the Sabbath Day by riding towards Edinburgh and coming from it on the Sabbaths, and by staying from the efternune’s service in Tweedsmuir Kirk to speak of worldlie business.” He was however, “so ingenuous in confessing” that he escaped with a rebuke from the minister, and “promised not to do the like again.”

In 1753 a gentleman of Leith lost his heart to Miss Margaret Tweedie of Oliver. To quote a letter from him first demands the apology which is not always rendered to those whose most intimate affairs are given to a captious public when the writers are no longer in a position to protest. From the salubrious climate of Leith he wrote: <sup>2</sup>

“Dearest on earth, should I attempt to describe the strength of my passion for you, I might soon exhaust my flood of eloquence but not come up to the truth of the case. May heaven prove propitious to my earthly treasure. O how my heart akes when surly winter threatens so soon to lay his icy hand on our world, where you reside in so inclement a place.”

Despite his eloquence, the course of his love was, apparently, not smooth, for his courtship languished during ten years. In 1763 he had the happy thought of trying to alleviate for his treasure some of the discomforts of the dreich valley in which she dwelt, for a letter

<sup>1</sup> *Fasti Ecclesiae Scoticanæ.*

<sup>2</sup> *History of the Tweedy, or Tweedie, Family*, Michael Forbes Tweedy.

arrived, addressed to "Miss Peggy Tweedie with a pound of tea," and they were married the following year.

The Frasers were Sheriffs of Tweeddale and their territorial possessions were vast. "This noble and ancient family," says Nisbet, "were originally from France, and settled in Scotland as early as the reign of Achaius, 794, coeval with Charlemagne."<sup>1</sup> Oliver Fraser, possibly that "Olifurd" from Tweeddale who witnessed some documents in the reign of Malcolm IV. (*circa* 1153-1165), built Oliver Castle, "grim guardian of the Upper Tweed," when David I. was King. Most famous of the Frasers was Sir Simon Fraser, friend and supporter of William Wallace and of Robert the Bruce. From the reign of Malcolm IV. till the death of Alexander III. the Frasers, Frisels, or de Fresels—who bore the *fraises*, the strawberry leaves of nobility, on their shields from the time of the Crusades—were the most powerful family in Upper Tweeddale. Their first and last seat was that of Fruid, but one may look in vain for its traces up the lonely valley. Only some grassy mounds and a few old trees remain. In 1291, having put off the evil day as long as he could, Simon Fraser, chief of the clan, took the oath of allegiance demanded by Edward I. It broke his heart, and he came home to Oliver to die. His son, another Simon, waited as long as was possible, but he, also, was compelled to take the oath. He evidently took it with mental reservations, for in 1296 we find him fighting against the English at the Battle of Dunbar, where he was taken prisoner. In 1297, being given the choice of languishing in an English prison or of going to Flanders to fight for England, he, like a true Borderer, preferred the chance of death in battle—no suffocating walls around him. At the end of the campaign his services were handsomely rewarded, and he came home to find that Wallace, his distant kinsman, was proving a doughty champion for Scotland. That he stood to lose all by deserting the English King and throwing in his lot with a hunted rebel were matters that made him hesitate only for a little. It must have been fairly exasperating for King Edward when Fraser, whom he had appointed Keeper of Ettrick Forest, headed a Scottish rising along with Sir John Comyn and triumphantly routed the English troops, who greatly outnumbered a little army of Lanarkshire and Tweeddale men, at the Battle of Roslin. Wallace's Trench, at Hangingshaw, in Yarrow, remains as a memorial of Wallace's guerilla warfare, and the patriot could always find safe shelter in the castle of his friend, Simon Fraser. In 1305 Wallace was treacherously taken prisoner and executed in London, and Bruce arose to take his place and win for Scotland the independence that she has never lost. At Methven, near Perth, in 1306, when Bruce and his army were surprised and sustained disastrous defeat, Simon Fraser three times saved the life of his friend and leader. A short time later he was taken prisoner, hanged, drawn and quartered in London, and "his head smyten off and placed upon London brig on a sper." "As he went to the gallows, and as he stood

<sup>1</sup> Nisbet's *Heraldry*.



under the fatal tree, his fine personal appearance and whole bearing drew expressions of sympathy, not only from the tender hearts of the women, but from the less susceptible men of the rough London crowd."<sup>1</sup> The question of the descent of Simon Fraser, Lord Lovat, from the lords of Oliver Castle is one which, so far as the writer is aware, has never been satisfactorily settled. According to Nisbet's *Heraldry* there would seem to be no doubt as to the fact, but other authorities dismiss the local belief as mere legend.

Best known of the Hays, another wild Border brood, is Hay of Talla, one of the murderers of Darnley.

“ Wild your cradle glen,  
Young Hay of Talla,  
Stern in the wind's wild roar,  
Round the old castle tower,  
Young Hay of Talla.

Winter night roaring,  
Young Hay of Talla,  
Snowy drift smoorring,  
Loud the linn roaring,  
Young Hay of Talla.

. . . . .

Winterhope's wild hags,  
Young Hay of Talla,  
Gameshope dark foaming,  
There ever roaming,  
Young Hay of Talla.”<sup>2</sup>

Where Hay's peel tower stood, no one knows. Even before the waters of the Reservoir wiped out the peaty bogland by the burn, no trace of any building was to be seen there. He was one of two executed for the murder of Darnley in 1568.

Another figure that stands grimly out from a host of Border fighters is that of Porteous of Hawkshaw. His peel tower was up the Hawkshaw burn, near Falla Moss. As recently as a hundred years ago a farmhouse and cottages, known as “Hawkshaw Auld Toun,” marked where it had been, and another Hawkshaw remains on the Fruid valley side of the hill. When Cromwell was on his devastating march through the Lowlands a party of sixteen of his troopers, stationed at Biggar, fell into the hands of Porteous. He made his men “fell them one by one with a mall” and fling them into Falla Moss. One unfortunate, less violently felled than the others, regained consciousness, struggled out of the moss, and fled. He ran a long way, and when his pursuers caught him up he saved them the trouble of an execution by

<sup>1</sup> Veitch : *History and Poetry of the Scottish Border*.

<sup>2</sup> Veitch : *Hillside Rhymes*.

throwing himself over a cliff at Glenkraigie. Early in the nineteenth century some herds took the trouble to dig for the fifteen in the Moss, and found what remained of the Ironsides who were so unlucky as to encounter a Border reiver.

According to a contemporary historian. "The greatest relieff at this time was by some gentillmen callit mosstrouperis, quha, haiffing quyetlie convenit in threttis and fourties, did cut off numberis of the Englishes, and seased on thair pockettis and horsis." Of the tale of Hawkshaw's treatment of his prisoners there is a local variant, firmly adhered to in the district. Some English reivers, they say, had the impudence to "lift" some cattle belonging to Porteous. He followed them, hot-trod, and, at the Cowt's Road (*cowt*, a colt, or a big, rough fellow) by Wamphray Water-head, he caught up with them, got back his cattle and captured the Englishmen. He kept them prisoners until, getting bored at having to supply them with food, he took the simplest means of getting rid of inconvenient visitors, killed them and threw them into Falla Moss.<sup>1</sup> It is not possible to say which version of the tragedy is the correct one. Probably they are different incidents in the life of Porteous, who set no special value on human life, especially that of men born on the wrong side of the Cheviots, and who had a moss conveniently handy. Doubtless Captain Porteous of "Porteous Mob" notoriety—a Peeblesshire man—was a scion of the house whose motto was "Let the Hawk Shaw."

Long before "The Killing Times" the upper waters of Tweed and of the lonely burns that flow into it must many a time have been tinged with blood.

Tweedsmuir was a Covenanting parish, as the records of its church prove. The church was built in 1643—a little whitewashed, barn-like building with square pews, a "laird's loft" and a small belfry at one end—and the Duke of Queensberry, ancestor of "Old Q," was its patron. In 1675 its minister was one Francis Scott, and on October 3rd of that year it is chronicled that the minister was "hardlie daring to stay sermon for murderers, or robbers, falling upon him, as of other ministers in the Parish."<sup>2</sup> Whether these "murderers and robbers" were sons of the Covenant or followers of "Bluidy Clavers" is rather a nice point to decide, for Mr. Scott proved to be an informer, and in May, 1688, was "outed" by his flock. Session records<sup>3</sup> also have as entries :

<sup>1</sup> MSS. of Mrs. M. Tweedie-Stodart Rose.

<sup>2</sup> *Fasti Ecclesiae Scoticanæ*.

<sup>3</sup> Rev. W. S. Crockett: *The Scott Country*.

"No session kept by reason of all the elders being at conventicles."

"No public sermon, soldiers being sent to apprehend the minister, but he, receiving notification of their design, went away and retired."

"The collection this day to be given to a man for acting as watch during the time of the sermon."

"No meeting this day, for fear of the enemy."

"There was no sermon, the ministers not daring to stay at their charges."

To be minister of the little kirk where, in happier days, Chalmers and Guthrie have preached, must have been a nerve-racking business when Claverhouse and his troopers were abroad. The hills and cleughs and moss-hags of Tweedsmuir furnished hiding-places for many a Covenanter. Donald Cargill, of the Barony Church of Glasgow, is credited with having given his name to "Donald's Cleugh" and its burn, which runs into Gameshope. Peden, "the Prophet," still has a memorial in "Peden's Pulpit," a boulder up Gameshope Glen. James Renwick, Alexander and Michael Shields, the Rev. Gilbert Veitch, twice condemned to death, and for twenty years hunted through the Borders, and other valiant upholders of the Covenant, all held conventicles in wild places where the horses of "the Persecutors" could not find footing. "It will be a bloody night in Gemshop this" is Hogg's opening sentence in his "Brownie of Bodsbeck."

Some sixteen years ago, a fisher returning from a day on Gameshope Loch, came on one of the "hags" which may have sheltered some of those whose sudden disappearance, when pursuit was at its hottest, seemed little less than miracle...

"A covy of grouse got up almost at my feet. The day was windless and very still, and as I stood watching the flight of the birds, the faint melodious tinkle of underground water somewhere very near to me, fell on my ear. Glancing around, I saw on the flat ground in front of me within a yard of my feet, what appeared to be a hole, almost entirely concealed by heather. It was from this direction that the sound of the drip, drip of falling water seemed to come. Kneeling down, I pulled the heather aside, and found a hole two or three feet in diameter, and beneath it a roomy kind of chamber hollowed out of the peaty soil. It was a place perhaps five feet deep, big enough at a pinch to conceal half a dozen men; a place from which—unless there

was a way out from below—a man might never find exit, if inadvertently he fell in and in his fall managed to break a limb. Unseen of man, he might lie in that peaty grave till his bones bleached, rest in that lonely spot till the last dread trumpet called him forth to judgment.”<sup>1</sup>

Next day the writer accompanied the discoverer of the hole to examine it. Yard by yard was paced, it must have been passed and re-passed, but no tinkle of water was heard and an hour of careful search was spent in vain. Shepherds affirm that four or five such “hags” are believed to exist in Gameshope Glen and the moor by the loch, but although they blame them for the death of sheep which mysteriously vanish they can give no exact information about any of them. Was it in such dens that the Pagan ancestors of the devout men of the moss-hags, the last remnants of the swarthy little Picts whose stills were underground and who were reputed to be able to hide for days in bogs with only their heads above the quaking ground, found their last strongholds? Did “the Brown Man of the moors, who stays beneath the heather-bell” and who, in his *Watcher by the Threshold* Mr. John Buchan has revived into such a very flesh-creeping bogie, still lurk, when his tribe was supposed to be extinct, in those hags up Gameshope? Indeed the setting is most suitable, for it would be hard to find a lonelier, wilder spot than Gameshope Cleugh, with its burn dashing from linn to linn, its marshy ground strewn with great boulders, and only the rush of water, the sough of the wind, the curlew’s shrill and the pewit’s dolorous cry to sound in its solitude. And, even at high noonday, the loch is an eerie, sinister-looking piece of water. While the reservoir at Talla was being made there were men who thought to reach a possible job more quickly if they tramped across the hills and came down the glen. But more than one who tried to brave its rigours in wintry weather lay down to die under the scanty shelter of a boulder, and was found lying cold and dead by shepherds who came up the cleugh when snow was melting or when a storm of some wild days had abated. On an autumn day, when the yellows and reds of the hills

<sup>1</sup> Andrew and John Lang: *Highways and Byways of the Border*.



are turned into sad-colour, and the cleughs that cleave their sides are splashes of inky black, when furious gales sweep down from the north, flaying the faces of those who meet them and making even the sturdy little blackfaced sheep stagger as they try to keep their footing among the grey stones and on the sparse, bent grass of the hillsides, it would seem as though the wrath of God were abroad. Sleet, like wisps of smoke, drives down the hills and turns into the thick greyness of a forest fire when it reaches the great boulders and the wan water of the burn that moans its way down the valley. "Foxes have holes, and the birds of the air their nests," but the lairs of the foxes, high up on the hills, must prove chilly shelter on such a day. Even the peregrine falcons must shiver in their nests, and if, as rumour says, an occasional eagle is still to be seen there, it must find its eyrie no fit habitation for a royal bird. At Fiend's Fell, near Talla Linns, eagles used to nest—one was killed in 1883—and when they still ravaged the flocks, not so many years ago, one seized a herd boy, who had a hard fight to escape. On such a day as this even the water of the reservoir, destined for the humbling servitude of the household taps of Edinburgh, is lashed into angry waves, foaming against their barriers. Talla Linns are in flood, and the spray that dashes skywards, as water crashes down the rocks, might be incense immortalizing the psalms and prayers of the martyrs.

It was at Talla Linns—the "Witches' Linn"—that the Great Conventicle described by Sir Walter Scott,<sup>1</sup> was held in June, 1682.

"The place was remarkably well adapted for such an assembly. It was a wild and very sequestered dell in Tweeddale surrounded by high hills, and far remote from human habitation. A small river, or rather a mountain torrent, called the Talla, breaks down the glen with great fury, dashing successively over a number of small cascades. . . . Here the leaders among the scattered adherents of the Covenant, men, who in their banishment from human society, and in the recollection of the severities to which they had been exposed, had become at once sullen in their tempers and fantastic in their religious opinions, met with arms in their hands, and by the side of the torrent discussed,

<sup>1</sup> Sir Walter Scott : *Heart of Midlothian*.

with a turbulence which the noise of the stream could not drown, points of controversy as empty and unsubstantial as its foam."

Thus Sir Walter. Of the Conventicle, an old shepherd whose genial personality is missed by everyone now that he rests in the little graveyard by the side of Tweed, said on the day that the War Memorial was unveiled, "There's never been sic a crood here afore—no' sin the time o' the Great Conventicle. They say there was sic a hash o' folk, an' they sang the Psalms that lood, that they drooned the soond o' the Linns." The Conventicle lasted for three days, during which time not only did the Covenanters most narrowly escape an onslaught from Claverhouse and his troopers, but Claverhouse, thanks to his insufficient information, escaped from being made an example to all "persecutors." For those stern followers of Calvin who looked on him and his like as malefactors deserving righteous execution, numbered a hundred and twenty, and were mostly armed. Claverhouse was Sheriff of Galloway, and on his way from Edinburgh to Kenmure Castle, where he had his headquarters, he spent a night at what, in a letter to the Duke of Queensberry, he calls "The Bille," while, only four miles off, his quarry was assembled. But, apparently, the host at the Bield kept his own counsel, both to his guest and to the little company at Talla Linns, until all chance of a bloody encounter was past. A few days later, news of what he had missed reached Claverhouse. He heard from the Rev. Francis Scott, who evidently liked to run with the hare as well as to hunt with the hounds, that the Covenanters had mostly come from Clydesdale, crossing Tweed by the stepping-stones which then existed between the Bield and the little white glebe cottage, then the manse, but averred that "they did no prejudice in his house, further than meatt and drink." Claverhouse notes that "There was a dragoon all Tuesdays night, at the changehouse at the Bille."<sup>1</sup>

In the green and peaceful graveyard, surrounded by clustering sentinels of dark pines, guarded by the everlasting hills, and past which Tweed croons her melody, is the grave

<sup>1</sup> Drumlanrig Papers.

of one of the martyrs. "Old Mortality's" white pony used to be tied to the churchyard gate while he relettered the stone.

"Here lyes JOHN HUNTER  
Martyr who was cruelly  
murdered at Corehead  
by Col. James Douglas<sup>1</sup> and  
his Party for his Adherence  
to the word of God and  
Scotland's Covenanted  
work of Reformation

1685

Executed in the year 1726

When Zion's King was Robbed  
of his right  
His witnesses in Scotland put to  
flight  
When popish prelates and Indul-  
gancie  
Combin'd 'gainst Christ to ruine  
Presbytrie  
All who would not unto their  
idols bow  
They socht them out and whom  
they found they slew  
For owning of Christ's cause I  
then did die  
My blood for vengeance on his  
en'mies did cry."

This on the tombstone. On the flat stone which covers the grave a quotation from a contemporary writer, added in 1910, is given :

"John Hunter, a Tweedsmuir lad, was accidentally visiting a sick friend at Corhead when timely in the morning he was surprised with Douglas and his Dragoons. He fled to the hill a great way, but one named Scott, being well horsed, compassed him and came before him. He was most barbarouslie shot through the body, felled on the head with the neck of a gun, and casten headlong over a high steep craig"—said to be the Beef Tub.

There are various theories as to the origin of Quarter Knowe, the knoll on which the Kirk of Tweedsmuir stands. Some believe it to have been a British camp, or a place of Druidical worship; others see in its shape a Roman tumulus, while some of the country folk are assured that the mound was caused by the confluence of Tweed and Talla. The Rev. John Dick, for many years minister of the parish, pronounces it to be "really of alluvial foundation."<sup>2</sup> On the stones in the graveyard one can read a good deal of the

<sup>1</sup> Of Skirling.

<sup>2</sup> *Ordnance Gazetteer of Scotland*, edited by Francis Hindes Grooms, 1885.

history of the people of the parish. A stranger once said to an old shepherd—the majority of Tweedsmuir men are shepherds—“This is a beautiful, healthful place. You have grand air, splendid water, everything to promote longevity.” “Ou aye,” the old man cheerily replied, “Naebody dees here. When folk get owre auld, they just tak a gun an’ shoot them.” The tombstones certainly give a large proportion of aged people, from 70 to 80 and upwards, but one stone, chronicling the deaths of a shepherd of Fruid and his family, gives their ages as 85, 12, 16, 47, 77 and 85.

This is their epitaph :—

“Death pities not the aged head  
Nor manhood fresh and green,  
But blends the locks of eighty-five  
With ringlets of sixteen.”

The life and death of a lad of fifteen is also delightfully recorded :—

“Whate’er could die of William Ker  
Lies quietly in earth’s bosom here ;  
His better part, with heirs of grace,  
We hope now dwells in heavenly place.  
This hopeful youth at fifteen years  
Left all his friends bedewed in tears ;  
The objects of God’s dearest love  
Are called, when young, to joys above ;  
How pious, modest and sincere  
The coming judgment will declare.”

With few exceptions, those who did not die well up in years died still in harness, or from accident. A granite stone, engraved with pick and shovel, commemorates knights of labour, many of whom died far from home and friends.

“To the memory of the men who died during the progress of the Talla Water Works, 1895-1905, of whom thirty are interred in this churchyard.”

One man, a stalwart gamekeeper, was killed by falling from the rocks at Loch Skene when he and others were hunting foxes. His collie managed to scramble down the crags and reach his master’s body, and so faithfully did he guard it that, for a time, no one dared venture near it. Another shepherd at Menzion, “lost his life in that Memorable Snowstorm, 25th January, 1794.”

The endearing quality of recklessness did not leave the blood of those Tweeddale folk, who made somewhat of a



hobby of "lifting" the property of their ancient enemies, until their pastime was finally stamped out, by royal decree, in the seventeenth century. The Reivers' Resting Stone is to be found on the road by Carterhope to Moffat, and on stilly nights, when the moon rides high, almost can we hear the lowing of tired cattle, the jingle of spurs and of harness, and see the raiders following the moor roads over the hills and across the heather from the other side of the Border.

"O they rade in the rain, in the days that are gane,  
In the rain and the wind and the lave,  
They shoutit in the ha' and they routit on the hill,  
But they're a' quaitit noo in the grave."

That the reivers did not limit their energies to lifting the "bestial and gear" of their cousins on the English side is proved many times by State Papers. "Hawks winna pike oot hawks een," yet in February, 1489, Thomas Porteous of Hawkshaw was convicted of having—quite accidentally on purpose—lifted from Oliver seventy-four lambs, the property of William and Laurence Tweedie. Tweed's Well is so nearly in Annandale and so close to that gloomy fissure in the hill known as the storage of a hardy raider—"The Marquis of Annandale's Beef-Stand," or "The Devil's Beef-Tub"—that the old couplet,

"Annan, Tweed and Clyde  
Rise a' oot o' ae hillside"

comes being very near correct, and doubtless the reivers of Tweeddale as well as those of Annandale found it a handy place for the temporary shelter of their booty.

The hills and rough pasturage by river and burnside have always provided excellent grazing for a hardy breed of sheep. In this district, and on the moors that lie between Tweed and Yarrow, James IV. grazed as many as 10,000 sheep and exported their wool to Flanders. "The sheep of this Country are but small, yet very sweet and delicious, and live to a greater age than elsewhere, by reason of the Salubrity of the Air and wholesome dry feeding," writes Dr. Pennecuik<sup>1</sup> in 1715. It may have been partly due to a

<sup>1</sup> Pennecuik: *Description of Tweeddale*.

lawful pride in the physique of the parishioners of Tweedsmuir that the parochial authorities were so upset when "fremd folk" of inferior stamina arrived there. Dr. Burns, minister of Tweedsmuir from 1831-1843, records that "Foreign mendicity annoys us greatly, and the conveyance of cripples from hence to Moffat (eight miles) forms, as might be expected, a very important item in our annual expenditure."

Statistics for a little over a century do not show great fluctuation, but in 1793 the parish minister laments over the dismal decrease of population during the previous seventy years, owing to farms being enlarged in extent and diminished in number. In 1723 there were twenty-six resident tenant farmers; in 1793 only three farmers were resident in the parish.

In 1755	the population was	397
" 1775	" " "	250
" 1790	" " "	227
" 1800	" " "	277
" 1831	" " "	288
" 1891	" " "	207
" 1923	" " "	178

The present valuation of lands and farms is £5,248 19s. 2d.; and of Talla Reservoir £22,093.

The road that runs through the valley was the coaching road from Edinburgh to Dumfries *via* Moffat. Originally the Bield was the Post Office and second stage on the road. Later, the mail changed horses at the Crook Inn, a mile or so below the village, where "post-chaises and horses" were also to be had, and the Bield gave up to the Crook its duties as Post Office. While Episcopacy still stank in the nostrils of the followers of Calvin, the Crook was used as the Presbyterian meeting-house, and in 1688 a minister was ordained there. It was a landlady of the Crook who hid a hunted hill-man in her peat-stack until the dragoons had refreshed themselves and ridden away. A successor of hers, "Jeanie o' the Crook," made famous in a poem by Hamilton Paul, the witty minister of Broughton—a divine not exactly to the taste of those who gathered at Talla Linn foot in

earlier days—lies under a tombstone in the graveyard, still bearing her title, “Jeanie o’ the Crook.” Many a notable man has stayed in that little hostelry, rather bereft of sunshine by its closely surrounding trees and its huddle of hills before and behind—the only inn between Peebles and Moffat, a distance of thirty odd miles. Lord Cockburn, on circuit, always stayed there. Bishop Forbes was there many a time. Veitch, Shairp, Christopher North, John Brown, Blackie, Russell of the *Scotsman*, Andrew Lang, all knew it well. Sir Thomas Dick Lauder, his eyes perhaps slightly jaundiced by losing a wheel of his post-chaise near it one bleak November night, describes it as “one of the coldest looking, most cheerless places of reception for travellers that we ever chanced to behold . . . isolated and staring in the midst of the great glen of Tweed, closed in by high green sloping hills on all sides.”<sup>1</sup> William Black, in his *Strange Adventures of a Phaeton*, makes his travellers spend a night at the Crook, and dine on ham and eggs and whisky.

In old days the Crook was one of four inns. It was the Bield that Claverhouse honoured with his presence, and apparently Burns, and his friend Thomas Campbell, found the whisky there superior to that of the Crook. But the stone on its gable-end does not record the names of any of those illustrious guests, but tells us that here was born the Rev. John Ker—a gifted divine. The third inn is described by the chatty Pennecuik as “a little ale-house,” recently built at “a place upon the highway called Tweed’s Slush or Tweedshaw.” He also mentions a little ale-house at “Tweed-hopefoot.” Here dwelt the famous “Babe,” “Bab,” or “Bairn of Tweedhopefoot,” a hugh fellow noted for his feats of strength, one of which was to carry for a wager a load of meal (20 st.) on his back from Peebles to his own house, with only two rests on the way. A Peebles man went with him to see that he played fair, and, when they reached the ford at Drumelzier, weariedly asked how they were to get across, “Jump on to the tap o’ the meal an’ a’ll cairry ye owre,” briskly replied the Babe, and the man, convinced that he had a Titan to deal with, returned home. An old woman, still living at The Riggs, who has many times heard the story in her youth, confirms this tale and declares that Welsh rested once only on the way, at “the Haggan End,” near Stanhopefoot.<sup>2</sup> Jamie Welsh, The Babe, is supposed to be the hero of a tale of Covenanting times; but one fancies that it is

<sup>1</sup> *Scottish Rivers*, Sir T. Dick Lauder.

<sup>2</sup> MS. of Mrs. M. Tweedie-Stodart Rose.

more likely to have been one of his ancestors, a less easily recognizable Welsh who was pursued by Claverhouse's dragoons about the same time that John Hunter met his death. He fled across the hills to Fruid valley, and reached the house of the herd at Carterhope. The herd's wife, with great presence of mind, made no attempt to hide him, but made him sit down by the fire. Later, the dragoons rode up and came in to search the cottage, "Get up, ye lazy lout!" said the good-wife, giving Welsh a great "clout on the lugs," "Gang oot and mind the sodgers' horses!" And in the "lazy lout" who stood by their horses' heads none of the troopers thought of finding the Covenanter they sought.<sup>1</sup>

Another giant, less respectable than the Babe, is described by Pennecuik as "a huge mighty fellow that robbed all on the way, but was at last surprised and shot to death, as Tradition goes." Presumably there were two giants of equally evil fame, and this was one who found a grave opposite the Hawkshaw burn. But the giant of greatest fame is he whose death is ingenuously supposed by an eighteenth century minister of Tweedsmuir<sup>2</sup> to have given origin to the story of Jack the Giant Killer. The big standing stone, midway between the schoolhouse and the farmhouse of Menzion, is obviously the sole survivor of a cromlech, or of a Druidic circle. The two stones lying near it are ordinary boulders, but the *Statistical Account* of the parish in 1833 declares that it once had many fellows that were broken up and carted away, presumably to build stone dikes. The standing stone is known as the Giant's Stone, and local tradition tells that for long the district was plagued by the giant, until a gallant little archer marked his prey and shot him from the other side of the river—a notable shot, even for a bowman of the Forest. Towards the end of the eighteenth century a man casting peats actually found a grave near the standing stone. It was lined with smooth, thin stones, and covered by a large flagstone. In it were fragments of "an urn of strong earthenware," but if the man found anything else he forgot to mention it.<sup>3</sup> Thirty years previous to this discovery an urn, probably cinerary, was found under a cairn on Nether Oliver—the Crook Hill, where once stood Oliver Castle—and, some fifty years ago some men who were building dikes round the young woods on Oliver came on a grave and unearthed from it an earthenware beaker urn of unusual design, now in the Antiquarian Museum in Edinburgh. That the parish might provide rich fields of research for the archaeologist is abundantly proved by the existence of mounds and cairns which have still to be explored. At the Riggs, opposite Fruid Water, are evidences of ruins which may be Druidical or may merely mark the site of a peel tower of later date.

<sup>1</sup> MS. of Mrs. M. Tweedie-Stodart Rose.

<sup>2</sup> First *Statistical Account*.

<sup>3</sup> The traditional site of the Giant's Grave is in the mound in the little round wood at the foot of the Galla burn, and lies close to the high road.



The names of the various "waters" are in themselves alluring—Cor Water, Hearthstane Burn (more correctly Hartstane or Harestane, which may have taken its name either from the harts that once used to come, pale, dappled shadows in the twilight, to drink at the burn, or from Harstane, Cymric for a boundary stone), Tweedhope, Fruid Water (Cymric *fruyd*), Glencraigie burn, Badlieu, Hawkshaw (wood of the hawks), Old Fingland, Menzion, Glenriska, Moat, Polmood. Polmood obviously comes from *pol*, a pool, common alike to Cymric and Gaelic. "There are," says Pennecuik "a number of little limpid Brooks, Burns and Springs that are seen sprinkling down the Green and Grassie Hills, with a Melancholy but agreeable Murmure." These burns and the upper reaches of Tweed, which, once more to quote a most observant authority with a gift of language, "runneth for the most part with a soft, yet trotting stream towards the North-East," once made the parish a paradise for anglers. Within the memory of our own generation the burns teemed with plump yellow trout that fought most gamely for their lives. In Tweed the greedy, tiresome, little parr far outnumber the trout, and sea-trout there are shy. But up the four miles of Menzion burn and the ten miles of Fruid there are many pools that are a sore temptation to those who love "nae music,"

"Ken nae tūnes  
Except the sang o' Tweed in spate,  
Or Talla loupin' owre the Linns." <sup>1</sup>

He who knows

"the pūles

Whaur the trout grow great in the howes o' the hills," <sup>2</sup>

sees no crime in catching the fish which shooting tenants are possibly too superior or too ignorant to allure with well-chosen fly or skilfully cast worm. In Megget Water, above Talla, a Peebles man once creeled 100 trout with worm in a day. The Ettrick Shepherd was responsible for "a cartfu'" of forty-five dozen.<sup>3</sup> A Tweedsmuir man's

<sup>1</sup> John Buchan : *Poems Scots and English*.

<sup>2</sup> *Ibid.*

<sup>3</sup> Christopher North : *Noctes Ambrosianae*.

record is 14 lb. of trout, the biggest weighing 2 lbs., caught with fly on Gameshope burn; and, not a year ago, a young shepherd, fishing with bait, got fifty-two trout, averaging a quarter of a pound, in the same burn. Should the fisherman, like most anglers, have an eye for beauty and a love for solitary places, there can be no more perfect place to fish than Gameshope burn, strewn with great, grey boulders in whose shadows the big trout lurk, rowans, silver birches, heather, and blaeberry bushes hanging over its dark pools and mirroring themselves in water that rushes onward, to crash from linn to linn in seething circles of snowy foam. And what says a local poet of Fruid Water, where good trout are still to be found? :

“ If ye’re for peace, and a day that will haud forever,  
Wad mak hale, wad hale yer soul,  
Gang up Tweedsmuir, yer laddie an’ you thegither,  
Whaur heichts are green, sunlicht or dreepin’ wather—  
In Fruid ye’ll mend yer soul.

Fruid folk are bien, they kenna the toon’s ondingin’,  
In the muirs, the muirs o’ Fruid,  
Staund straught on Garelet, wunds aroond ye singin’,  
An’ a’ life lang, the mem’ry roond ye clingin’,  
Is Fruid, aye, lanely Fruid.”<sup>1</sup>

Talla, before the Edinburgh Corporation tamed it for utilitarian needs, ran through a marshy valley, and its trout were dark and “ ill faured,” taking on the colour of the peat-hags among which they lived. The reservoir has been stocked with Loch Leven trout, and now and again a good fish is taken. But they are not the “ bonny fechtters ” of Gameshope burn, and are too often long, lank, and dour. This, however, is not of much concern to the Water Trust Commissioners. So long as the loch with its area of 300 acres can daily supply Edinburgh householders with ten million gallons of water, what more can they desire? In Carlow’s Linn, crossed by an old, single-arched bridge, for many years the only bridge over Tweed above Peebles, between the hamlet and the church and schoolhouse, there lives, so it is said, that wily muckle trout of tradition that

<sup>1</sup> Gilbert Rae : *’Mang Lowland Hills.*



TALLA

By Mary Tweedie-Stodart





every respectable river must possess. Bold hearts say that they have "touched" this immortal lure of fishermen with fly, but so long as Tweed rushes roaring between and over the rocks of the Linn, and the black pool below swirls and eddies, the luck must ever remain on the side of the hunted.

The hills which, somewhat insufficiently at times, shelter the valley, have been once and for all described by one who was born at Biggar, and to whom all the silent and lonely places of his native shire were dear. In his essay on Minchmoor,<sup>1</sup> Dr. John Brown writes of "the huge Harestane Broadlaw—nearly as high as Ben Lomond—whose top is as flat as a table, and would make a race-course of two miles, and where the clouds are still brooding," and of "the great round-backed, kindly, solemn hills of Tweed, Yarrow and Ettrick," which "lay all about like sleeping mastiffs—too plain to be grand, too ample and beautiful to be commonplace." Broadlaw, 2754 feet above sea-level, has near its summit a spring known as Geddes's Well, and Hartfell Spa, on Hartfell, as late as in 1831, had its "chalybeate waters transported for the use of many diseases of ulceration." Opposite Broadlaw, otherwise called "Talla Banks," rise the precipices and rugged chasms of the Gairlet, "where the wide-winged hawk doth hover"—the haunt of the hunting falcon from immemorial times. On all the hills blaeberries grow profusely, and on Broad Law, on Moll's Cleugh Dodd, and on Gairlet and other sleeping mastiffs of the valley where the snow lies long and over which clouds so often hang, one finds the whortleberry (the "Idean vine" of *The Lady of the Lake*), and the mountain cloudberry. The names of the hills are not always easy to explain. Why should the hill near Earlsbaugh be called "The Crown of Scotland"? No one knows.

Ever and again the parish crops up in history, but it is to legend and local tradition that it owes most of its romance. Historical facts stand out like stark boulders, but time adds traditions that, like wild thyme and moss and little mountain heartsease, climb up and beautify them. Taliessen, "the

<sup>1</sup> Dr. John Brown : *Minchmoor*.

bright browed," bard of Urien and Owen, British princes who lived in King Arthur's time, is supposed to have given his name to Talla, but probably both he and Talla gained their names from the Cymric *tal*, that which tops or fronts. Tal Ard [=Ard, glen] was Talla's early name.

Merlin the Seer, the wizard Merlin, last of the Druids, who also lived in the sixth century, and who was murdered at Drumelzier, found refuge in the great Wood of Caledon when Arthur, the Christian King, inflicted a terrible defeat at Arderydd in the Liddell valley in 573. Already Arthur had fought a mighty battle "in Silva Caledonis"—the Wood of Caledon—and Merlin had seen the power of the Druids fall before the new religion of Christianity. No longer a revered seer but a hunted Pagan, Merlin, half-crazed, wandered for fifty years in those uplands before merciful death overtook him in merciless form.

"Ten years and forty, the sport of lawless ones,  
Have I been wandering amongst sprites,  
After wealth in abundance and entertaining minstrels,

After suffering from disease and despair in the forest of Caledon."<sup>1</sup>

For the defeat and death of his King, Merlin held himself responsible.<sup>2</sup> "Death takes all away, why does he not visit me?" was his anguished cry. When Christianity had come to stay, and Tweed's Cross, near Tweed's Well, had been raised on what was once a place of Druidical worship and become a holy wayside shrine, there occurred the meeting of Merlin with Kentigern. St. Kentigern, better known as St. Mungo, "The Beloved"—from the Cymric *Mwyn Cu*, my dear one—one of the earliest Scottish apostles of Christianity, was appointed Bishop of the Borders by the victor of Arderydd and held his position until 603 A.D. They were full of zeal and stout of heart, these early Christian missionizers, daring fierce weather, dangerous journeys, and fearlessly facing their angry antagonists, the pagan people of the wilds. In the course of his wanderings St. Mungo found himself in the lonely valley of Upper Tweed, and one day as he knelt in prayer, probably by Tweed's Cross, the gaunt, wild-eyed, half-crazy Merlin stood before him, "with hair growing so grime, fearful to see." By the peat and heather, the murmur of running water in their ears; for long the two men talked together. And, at last, the words of the teacher of a Gospel of infinite love and boundless mercy found their way into the broken heart of the old Druid, and St. Mungo won him for his fold. He baptized him with water from a stream, and when Merlin was driven into Tweed and had stakes driven through his half-drowned body by the rough herds of Drumelzier, it was not a fierce worshipper of heathen deities whom they martyred, but a believer in the crucified

<sup>1</sup> Skene : *Books of Wales*.

<sup>2</sup> Fordun : *Scotichronicon*.

Christ. No one now can tell where the Christianized people of Tweedsmuir had their first place of worship, but in the middle of the eighteenth century faint traces of a chapel and burying-ground were still seen at Hawkshaw, and the sculptured head of a monk was dug up there.

Not far from Tweed's Well is the Badlieu Burn. A little white farm-house stands beside it, and near there are buried a murdered woman, her father, and her little child. Somewhere before the year 1000 A.D. one of Scotland's rulers was Kenneth the Grim—grim only in the word which denotes great strength. For nearly eight years he ruled peacefully and well, a monarch whose sternness was used only when justice required it, and whose wisdom, good looks, and personal charm made him one of the most popular kings of his line. Polmood was a royal hunting box, and Kenneth, a keen huntsman, hunted with zest the Wood of Caledon, where game was always to be had in plenty. At the close of a long day's sport he lost his way in the mist of the gloaming and found himself at the hut of the herd of Badlieu. The door was opened by the herd's daughter, "Bonnie Bertha of Badlieu," a girl in all ways beautiful. In her Kenneth found the queen of his heart, and in him Bertha the knight of her dreams. There could be no question of making the peasant girl his queen. He had a queen already; he had made a loveless match. But his dream of love went on, and in course of time Bertha bore her royal lover a son. And while the King, more and more, adored Bonnie Bertha and her babe, the heart of his lawful wife grew more and more bitter against him, his light o' love, and her bastard. An incursion of the Danes took Kenneth off to the coast to fight and repel them. The victory won, he unwillingly went to do duty at his court before hastening back to Polmood. He found the Court in mourning. He was told that the Queen had been stricken by a fever and had, after a few days' illness, died, raving mad. Kenneth made no pretence of a sorrow he did not feel, and rode, hotfoot, to Badlieu. There was now no reason why Bertha should not be his queen. But at Badlieu he found a harried nest. Tragic signs of violence showed on every side. An old peasant told him what had happened. His queen had sent murderers to slay Bertha, her father, and her little son, and their graves were in the peat on the hillside by the burn. Kenneth got a spade and proved for himself that the tale was true. His heart was broken, and when, a broken man, a few years later he led an army against the forces of his cousin Malcolm, he met with dire defeat. He was sorely wounded in the head, his eyes burned out, and he, who had known an idyll of love and fatherhood in the lonely valley, died in all the physical and mental anguish that man can undergo.

Other kings, or kings to be, have left their traces here. Erickstane, between Tweed's Well and Moffat, was the spot where that very perfect knight, Sir James of Douglas, first met Robert the Bruce on his way to Scone to be

crowned King of Scotland. In 1745 part of Prince Charlie's army marched to Derby through Tweedsmuir. The Lowlands were much more Jacobite in theory than in practice, and when the sympathies of Hunter of Polmood were believed by his dependents to be with the Stewarts, they took the precaution of locking up the laird until all danger was past. At Tweedshaws, where the army halted, an officer's silver-mounted sword and a highland dirk were left, and are still in possession of descendants of the family who entertained their owners. Tradition says that the manners of the Highlanders were all that could be desired, but the Lothian carters kept up their proverbial reputation.

In somewhat later days, when the Edinburgh mail-coach had brought the echoes of cities nearer Tweedsmuir, the hysterical fear of witchcraft, that James Sixth of Scotland and First of England had done his royal, foolish best to spread, was still a genuine thing in Tweedsmuir, and, at Blairshope, up Fruid Water, lived Nannie Gannet, a reputed witch.

“ It's nearly noo twae hunner year  
Sin Blairshope got a nesty name,  
The Strath o' Fruid was kept in fear,  
An' Nannie Gannet got the blame.”<sup>1</sup>

One does not know where she kept her witches' Sabbaths—there are plenty of canty places up Tweedsmuir way—nor what manner of evil she wrought where sheep and wild birds must have served as her only victims. But that she was, like most of the unfortunates who were strangled at the stake and burned, by royal decree, a woman of bigger brain and sharper wits than her compeers, at least one story remains as proof. Nannie waited one day at the Riggs to catch the coach to Moffat. But the sight of her was enough for the passengers, their guard and driver. People of their intelligence could not dream of sitting in a coach with a person who, rightly or wrongly, was the terror of the district, and they would have none of her. Not unnaturally, Nannie was annoyed. Shaking her fist at the driver, she told him that evil would befall him and his coach, and that she would be in Moffat before him. Then, kilting up her skirts, off she set, by devious paths and short cuts, and on the grassy old drove road to Moffat. Sure enough, the coach had not gone far before a wheel came off, and when the damage had been repaired and the coach at last trundled into Moffat, Nannie was waiting to welcome her detractors,

<sup>1</sup> James Geddes.



her face wreathed in sinful smiles, in the Market Place, where she had arrived two hours before them.

Near Nether Menzion, no longer to be found, there once existed the grave of a woman who had, poor unfortunate, the power of spreading dread more horrible than anything known to Nannie Gannet. Marion Chisholm came from Edinburgh while the Plague was raging there (? *circa*, 1645), bearing with her a bundle of clothing in which the Black Death was lurking.<sup>1</sup> The people at three farms—Nether Menzion, Fruid, and Glencotho, wiped out then forever—became infected, and those who escaped the pestilence pulled down on the bodies of those who died the roofs and walls of the houses they had lived in, the ruins acting as grim monument for the Plague and its victims. As far as one knows, Marion Chisholm was only a vagrant. And it is strange how many vagrants have climbed up there to the hills to find their last hours. It would seem as if man's instinct was ever to climb, ever, always, to strive to reach higher. In the Australian bush this is so. The lost child, the "bushed" man is always found not going downwards, not on the level, but always, with latest effort, mounting upwards.

In the autumn of 1923, in a solitary, seldom-used little sheep stell at the head of Fruid valley, a young herd came on the body of a poor old tramp. He had been dead for days, but from whence he came, who, in life, he was, no one ever knew. Near the Bield, on a field above Tweed, is the Cadger's Acre. In 1700, when the people of the district had found the accommodation of vagrants too great a tax upon their hospitality, it is said that the first Earl of March<sup>2</sup> granted a piece of ground where, in perpetuity, the "cadgers" might camp with impunity. Here they still camp, in winter as well as in summer—but to winter in Tweedsmuir, when icy sleet drives before the wind and the snow falls, falls, falls—an ever-deepening pall—on hill and moor, on loch and on river, means a heart and frame of iron. In 1821 there took place as gallant a tragedy as snowstorm ever brought to pass. The mail-coach for Edinburgh left Moffat late one February afternoon in one of the wildest snowstorms that ever raged. McGeorge, the guard, an old soldier, had lately been found fault with for being late with the mail, and when those at Moffat spoke of danger he

<sup>1</sup> First *Statistical Account*.

<sup>2</sup> See p. 381. The Earl of March was never the proprietor, although he owned the adjoining lands of Crook.

would not listen. He must push on. Near the Beef Tub the coach stuck fast. It seemed a hopeless business, yet McGeorge would not give in. The horses were cut free from their traces, loaded with the mail bags, and the guard, driver, and a solitary passenger tramped on. As they neared Tweedshaws the tired horses gave out. But the indomitable McGeorge refused to think of failure. The passenger was persuaded to return to Moffat, but guard and driver, loaded with the mails, pursued their course in the face of a blinding storm. Their bodies were found under drifted snow, near where the mail bags were hung on a snow-post, several days later.<sup>1</sup> On McGeorge's face was "a kind o' a pleasure," said the man who found him. When first sought for, the bodies could not be found. But on the night following a vain search one of the searchers, Dan Kirk, dreamed that he saw a funeral going along a part of the old road from Moffat still unsearched. With difficulty he persuaded the other men to take their shovels and explore the place of his dream, and there it was that the two dead men were discovered.

In January, 1909, a snowstorm gave yet another tragedy to that dreich road between Tweedsmuir and Moffat. A gay party of young people came to Tweedsmuir one stormy January night to give a concert, and, after a gay evening, went off at 3 a.m. to Glenbreck, where they were to rest for a few hours before going home to Moffat. The snowstorm was so severe that it was not until the afternoon of the next day that they made an attempt to start, a snowplough clearing the way ahead of them. Having struggled on for some miles, the driver of their coach gave up the effort as being too impossible, and persuaded all but two of the party to return to Glenbreck. Two young men would not listen to warning and fought on. There was no moon, the drifting snow blotted out all trace of road, and at length one of them, dead beat, fell down in the snow. He could not stir another step, he said, and his companion, sticking the shovel he carried in the drift beside him to mark the spot, turned back for help. But, dazed and helpless, he wandered

<sup>1</sup> MS. of Mrs. M. Tweedie-Stodart Rose.

throughout that terrible night and found none to aid him. At dawn he reached a shepherd's cottage, but when he and the herd, in sleet and pouring rain—for a thaw had set in—reached the spot where the young man lay, half buried in the snow, they came too late.<sup>1</sup>

Lonely, very lonely, are those cleughs and hills and burns of Tweedsmuir. They can be very eerie in the gloaming. Almost one can hear the soft footfall of the Brown Men of the Moor behind one as one puts up one's rod and turns homeward when the darkening makes it hard to find safe footing amongst the heather bushes and the peat-hags and big stones by the burnside. But never, in any weather, at any hour, does Tweedsmuir lose its beauty. On a chill October evening, with fine rain beginning to drift down, one still has the grey road, the brown shadows. The sky is grey, white clouds merging gently into it, and blue-grey, round-shouldered hills lie beyond. The benty grass is red-brown, the heather has not yet lost all its purple, and banks of purple and brown rise skywards up the steep hillsides, with a graciousness and amplitude of line that only those who have seen can adequately comprehend.

One wanders across the moors, climbs the hills, follows river and burns to their lonely sources, and always one finds the little Kirk of Tweedsmuir, its spire showing above the trees on the green knowe, a peaceful, welcoming, homelike sight. So also, perhaps, the shepherds find it—it, and the acre of God beside it—for

“evermore where Tweed and Talla flow  
Like guardian angels round those gates of rest,  
To keep their tryst the shepherds homeward go,  
And sleep at last beside the river's breast.”<sup>2</sup>

They have a War Memorial now at Tweedsmuir. When duty called, the men of the moor and the moss-hags, fearless of storms, required no driving. There were not many who could go—only forty—and of those who went fifteen laid down their lives, and some who returned were sorely maimed.

<sup>1</sup> MS. of Mrs. M. Tweedie-Stodart Rose.

<sup>2</sup> Gilbert Rae: *'Mang Lowland Hills*.

On that autumn day in 1920, when the Memorial was unveiled by the Lord Lieutenant of the County, bereft by the War of a gallant son, and himself so soon to die, a stalwart keeper, an ex-sergeant, played on the pipes "The Flowers of the Forest." Their wail ceased, a bugler took the piper's place, and "The Last Post" was sounded. Far up amongst the hills and glens it rang and echoed—"where, over the graves of the martyrs the whaups are crying." The last honours were given to those whose glens and hills know them no more forever. They gave their lives for the land they loved, for the little valley they held most dear.

## II

THE early history of the lands in Tweedsmuir is fragmentary, and what there is of it is far from clear. Undoubtedly the earliest proprietors were the Frasers, who were notable people in Peeblesshire long before the War of Independence, and they owned the greater part of the parish.

Oliver Fraser is the first of the name that we know of in the county: he built Oliver Castle in the latter part of the twelfth century,<sup>1</sup> which may have taken the place of an earlier castle built by him or his predecessors at Fruid. Neither of these castles is now in existence. The site of the one at Fruid can only be guessed at, but the site of the other is beyond doubt—above the road, on the lands of Nether Oliver (now part of the farm of Crook) immediately adjoining the lands of Oliver. It was a strong fortress in its day, but about a century later the principal residence of the Frasers was at Neidpath Castle, above Peebles.

The mythical origin of the Fraser family has already been referred to.<sup>2</sup> Nisbet in his *Heraldry* places the family in Scotland as early as the eighth century, a statement which cannot be taken seriously. They came from France, but whether with William of Normandy, or later is not known. The name does not appear in the Roll of Battle Abbey, and, in fact, is not found in England until 1188.

Oliver Fraser, who seems to have been a son of Kylvart Fraser,

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<sup>1</sup> It was known by his name about the year 1200 when "Adam and Cosowold, the sons of Muryn at Oliver's Castle (*apud castrum Oliverj*)" are enumerated among the witnesses to the perambulation of the marches of Stobo (*Regist. Glasg.* p. 89).

<sup>2</sup> See vol. ii. p. 292.



married a lady named Beatrice<sup>1</sup> and had a daughter who married Udard Fraser, of which marriage there were three sons, Bernard, Gilbert and Adam. Sir Gilbert, the second son, is the direct ancestor of the family of Fraser of Philorth (Lord Saltoun); he was Sheriff of Traquair in 1233, and also, in 1259, designated Sheriff of Peebles. At that time it is apparent that the name of the sheriffdom or county had not been definitely fixed, and it was called indiscriminately Peebles or Traquair or Tweeddale.

## THE FRASERS OF OLIVER



ARMS.—Sable, 6 cinquefoils Arg. 3, 2 and 1.

Sir Gilbert Fraser, whose wife's name was Christian, died about 1263 leaving a family of four sons, John, Simon, Andrew and William. The eldest, John, predeceased his father; Andrew did homage to King Edward I at Dumfermline in 1291, and died before 1308; William was a famous man in his day: he took holy orders, became Dean of Glasgow, was Chancellor of Scotland (1274), and Bishop of St. Andrews (1279). After the death of King Alexander III. (1285-6) he was elected one of the three regents for the North, along with Duncan, Earl of Fife, and Alexander Comyn, Earl of Buchan. He was also one of the King's executors. He died abroad in the year 1297.

Sir Simon Fraser, the second son of Sir Gilbert, was styled of Oliver Castle, and succeeded his father in the office of Sheriff of Peebles and Traquair, between 1264 and 1266. He died probably about 1280,<sup>2</sup> and was succeeded by Simon, his son, who was knighted about 1288,

<sup>1</sup> According to tradition it was through this or another marriage that Oliver Fraser acquired his great estate on the Tweed (*Origines*, i. p. 206).

<sup>2</sup> The evidence is not clear, and it is possible that the Sir Simon who is considered as his son may be the same man.

appointed Keeper of the Forests of Traquair<sup>1</sup> and Selkirk, swore fealty to King Edward I. at Norham in 1291, and was appointed, on the part of Baliol, one of the auditors to hear the pleadings of the Competitors for the Crown. He died in 1291, survived by his widow Maria, and at least two sons, Simon and Thomas.

Simon Fraser, the elder son, succeeded his father, but the office of Keeper of the Forests was granted by King Edward to William Comyn. His residence was principally at Neidpath Castle. He fought at the battle of Dunbar (1296), and the same year swore fealty to the English King, and was taken captive into England. His wife Marion, on 2nd January, 1296-7, got an allowance of 50 merks out of his lands in Peeblesshire and elsewhere, which were valued at 200 merks. He fought in France for the English, receiving £13 12s., being his pay as a Knight Banneret for 68 days' service at 4s. per day:<sup>2</sup> his lands were restored to him, and the King presented him with "a ferrand pomele" horse. In 1300, at the siege of Carlaverock, he served under the English flag:

" Symon Fresele de cele gent,  
Le ot noir à rosettes de argent." <sup>3</sup>

and was made Keeper of the Forest of Traquair. Then he joined the National party, and along with Comyn defeated the English at Roslin in 1303. His estates were forfeited in 1305, but restored on payment of three years' rental. He fought for Bruce at Methven in 1306, where he greatly distinguished himself, for he was a man of valour. In the same year he was captured and a barbarous death on the scaffold in London closed his life of hazard and adventure.<sup>4</sup>

Sir Simon Fraser left two daughters,<sup>5</sup> Mary, who married Sir Gilbert Hay of Locherworth,<sup>6</sup> and Joanna, who married Sir Patrick

<sup>1</sup> Traquair may be taken here in its county significance, and the forest would include all the royal demesne in the upper reaches of the Tweed.

<sup>2</sup> The soldier and shield-bearer who accompanied him received 2s and 1s. per day.

<sup>3</sup> " Simon Fraser of that company bore black, with roses of silver."

<sup>4</sup> See Lord Saltoun's *Frasers of Philorth*, and the *Scots Peerage*, viii. p. 417, from which most of the foregoing particulars have been taken: see also Veitch, *History and Poetry of Scottish Borders*, vol. i. p. 297; vol. ii. of this History, p. 292 and p. 354, ante.

<sup>5</sup> There is no evidence of Nisbet's statement that there was also a son who was sent into exile in France, and on his return received a grant of lands in the North from King Robert the Bruce, and became the ancestor of the Frasers of Lovat. But there is a certain amount of evidence to show that Sir Gilbert Fraser was a common ancestor of the Frasers of Philorth and the Frasers of Lovat. See *Scots Peerage*, v. p. 519, and vii. p. 426.

<sup>6</sup> For a short account of this family see vol. ii. p. 293.

Fleming of Biggar. And so the male line of the Frasers of Oliver and Neidpath Castle came to an end. Branches of the family lingered for a time in the county: there were Frasers in Fruid who held these lands in feu from the Oliver Frasers, and died out in the male line in the beginning of the sixteenth century; there were Frasers in Drumelzier who disappeared during the reign of King Robert the Bruce; and there were Frasers in Glenholm.

The lands in Peeblesshire which belonged to Sir Simon Fraser passed to his two daughters, and from them to their husbands, but there is no record as to the method of division. Neidpath Castle undoubtedly became the property of Sir Gilbert Hay, and it is possible that Sir Patrick Fleming got the greater part of the lands in the barony of Oliver Castle.<sup>1</sup> This barony, judging from later writs, was of considerable extent, and comprised in the parish of Tweedsmuir the lands of Crook, Oliver, Hearthstane, Talla, Menzion, Fruid and Gameshope; in the parish of Drumelzier the lands of Kingledoors and Polmood; in the parish of Glenholm the lands of Glencotho; and in the parish of Megget (Selkirkshire) the lands of Todrig. Of the remaining lands in the parish, Hawkshaw, Carterhope and Fingland were apparently royal demesne, and perhaps also Glenbreck, Badlieu, Tweedhopefoot and Earlishaugh, which were later part of the barony of Drumelzier.

Sir Patrick Fleming, who thus acquired lands in Tweedsmuir, was a son of the famous Robert Fleming of Cumbernauld, who in 1306 with Kirkpatrick of Closeburn and others despatched the wounded Comyn after he had been stabbed by Bruce in the church in Dumfries. "Let the deid shaw," said Fleming, showing Bruce the head of his rival, and that saying became the family motto. Space does not permit an account of this great family who became Lords Fleming and Earls of Wigtown,<sup>2</sup> and played a distinguished part in Scottish history. There was Sir David Fleming who fought at Otterburn (d. 1405-6), of whom Wyntoun records:

"Schire Davy Flemyng of Cumbirnald,  
Lord, a Knight stout and bald,  
Trowit and luvit wel with the King:  
This ilke gud and gentyl Knycht  
That was baith manful, lele and wycht."

His son, Sir Malcolm Fleming, who was a hostage for King James I. on his release from captivity (1423) and who was beheaded in the

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<sup>1</sup> "The barony remained with the Frasers till the beginning of the fourteenth century, when it appears to have passed by marriage to the Flemings of Biggar and the Hays of Yester, between whom it was divided into Over and Nether, or South and North Oliver Castle" (*Origines*, i. p. 206). It was taxed at £13 6s. 8d. of old extent.

<sup>2</sup> See *Scots Peerage*, viii. p. 519, and authorities there cited.

Castle of Edinburgh in 1440, after a mock trial, along with William, the young Earl of Douglas and his brother; John, second Lord Fleming, who when hawking in Glenholm was assassinated by John Tweedie of Drumelzier (1524); his son Malcolm, the third Lord, who fell in the battle of Pinkie (1547), and whose daughter Mary was one of the Queen's Maries, and married William Maitland of Lethington (1567-68); John, the fifth Lord, who fought for Queen Mary at Carberry Hill and

#### THE FLEMINGS, EARLS OF WIGTOWN



ARMS.—Quarterly: 1st and 4th Gules, a chevron with a double tressure counter-flowered Argent, for Fleming; 2nd and 3rd Azure, 3 frases Argent, for Fraser.

CREST.—A Goat's head erased Argent, armed Or.

SUPPORTERS.—Two harts proper, attired with 10 tynes Or, a collar Azure charged with 3 frases Argent.

MOTTO.—*Let the deed shaw.*

Langside, and accompanied her to England; John, the sixth Lord, who was created Earl of Wigtown (1606) and rendered many services to the King and State; John, the third Earl, who fought for Montrose at Philiphaugh (1645); and John, the sixth Earl and eleventh Lord Fleming, an ardent Jacobite, who opposed the treaty of Union in the Parliament of 1706, voting against every article, and was imprisoned in the Castle of Edinburgh as a suspect on the outbreak of the rising of 1715. The male line failed with Charles, the seventh Earl, and



twelfth Lord Fleming, who died unmarried in 1747, and the title became extinct.<sup>1</sup>

### III

Entering the parish by the road from Edinburgh, the first property to be noticed is the farm of

#### CROOK AND NETHER OLIVER

This is a small farm mostly on the right-hand side of the road, and on the shoulder of a steep and rather bare hill. The name Crook, the origin of which is uncertain, does not appear in any of the early titles, although the Crook Inn was in existence before 1600. The property was part of the barony of Oliver Castle and as such belonged to the Frasers and afterwards to the Flemings. In 1470 Robert, first Lord Fleming, granted to Sir David Hay of Yester (father of John, first Lord Yester), the lands of Oliver Castle and the half of the lands of Over Kingledoors, together with the superiority of the tenandry lands of Fruid, Polmood, Cockieland, and Glencotho; and received in exchange the lands of Biggar with the patronage of the church there. This transaction was confirmed by a charter from King James III. dated 12th July, 1470.<sup>2</sup>

The lands of Crook represent the half lands of Over Kingledoors, and Nether Oliver is the ground in the vicinity of the castle of Oliver,<sup>3</sup> and includes the site. The property thereafter was held as a part of

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<sup>1</sup> Clementina, daughter of the sixth Earl, married in 1735, when she was sixteen years of age, Charles, tenth Lord Elphinstone. She was succeeded in the Fleming estates by her grandson, Charles Elphinstone, who assumed the name of Fleming. The estate passed to his son John, fourteenth Lord Elphinstone, who was succeeded by his sister Clementina (who married Cornwallis Maude, Viscount Hawarden), by whose son they were sold. Another sister, Anne Elizabeth, married William Cunninghame Bontine, and is the mother of Mr. R. B. Cunninghame Grahame.

<sup>2</sup> *R.M.S.* ii. No. 995.

<sup>3</sup> The castle was occupied for some time by the Hays. There was a John de Hay who was styled "of Oliver Castle." He was perhaps a brother of Sir David Hay. In 1475 an action was brought by Edward Hunter of Polmood (a sub-vassal of lands in the barony) to have it declared whether Sir David Hay or John Hay was "chief baron of Oliver Castle" but Hunter did not appear and the point was not decided (*Acta Auditorium*, p. 38). There was also a George Hay of Oliver Castle: he was a son of John, second Lord Hay, who fell at Flodden. Pennecuik states that in his day the lord of Oliver Castle was called first in the roll of the freeholders of the shire. During the sixteenth and the first half of the seventeenth centuries the Tweedies of Oliver were in occupation.

the Neidpath estate,<sup>1</sup> until 1919, when it was sold to three brothers who are among the chief farmers in the county—John, James, and Ebenezer Braidwood Masterton. The inn of Crook was included in the sale, but this was resold in 1921 to Mr. John Cameron.

The rental of the lands is £131.

Between the site of the Castle of Oliver and the high road is a field called

#### CADGER'S ACRE

In the 1470 grant of the lands of Oliver Castle before referred to, Robert, Lord Fleming reserved to himself "one messuage," for what reason there is no record to show. That "messuage" is what is now known as Cadger's Acre (p. 373), and is referred to in 1538 in a Crown charter of confirmation to Malcolm, third Lord Fleming, as "one acre of land of Olivercastell on the east side of the burn of Oliver, on the side of the public road."<sup>2</sup> In 1636 John, second Earl of Wigtown, conveyed this field along with the lands of Over Menzion to Sir David Murray of Stanhope, who on 17th March, 1645, got a Crown charter incorporating them into the barony of Stanhope-Murray.<sup>3</sup> The reason of this grant was no doubt the marriage about 1627 of Lilius Fleming, the daughter of the second Earl, to Sir David Murray. She brought no tocher with her, but her father bound himself to support her and her husband, and to bring up their children.<sup>4</sup> Thereafter the Cadger's Acre shares the history of Stanhope (p. 445), and the present proprietor is Sir Basil Templer Montgomery, Baronet.

The rental is £3 17s. 6d.

#### OLIVER AND THE FIELD

This property, lying on the west side of the high road between Crook and Glenbreck, was a 50s. Temple land, and as such, although part of the barony of Oliver Castle, it belonged in superiority to the Knights Templars until the suppression of that Order in 1312. It is not unlikely that it was granted to the Templars by Oliver Fraser, but there is no record to show. The original vassals under the Knights Templars,<sup>5</sup> cannot now be ascertained, but there

<sup>1</sup> See vol. ii. p. 291.

<sup>2</sup> *R.M.S.* iii. No. 1774.

<sup>3</sup> *R.M.S.* ix. No. 1611.

<sup>4</sup> Wigtown Charter-chest, 336.

<sup>5</sup> The superiority of the property passed to the Knights of St. John of Jerusalem. Prior to the Reformation, James Sandilands of Calder succeeded Sir Walter Lyndsay, Preceptor of Torphichen Priory, as

were Tweedies in the lands (William and Lawrence) in 1489 who for some reason or other had been "put to the horn," not an uncommon experience for that family. Their goods were in consequence forfeited to their superior, "William, lord of Sanct Johns."<sup>1</sup> These Tweedies are said to have been the second and third sons of James Tweedie of Drumelzier, who married Katherine Caverhill (p. 423), and it is from William Tweedie that the line of Oliver probably descended, although it cannot be definitely traced prior to the middle of the sixteenth century.<sup>2</sup>

On 11th December, 1565, Lord Torphichen, as superior of the Temple lands in Scotland, granted a charter of Oliver to William Tweedie, and the holding was blench on payment yearly of 1d. Scots. William Tweedie,<sup>3</sup> who was concerned in the murder of Rizzio, was succeeded by his son Thomas, who had a charter on 18th August, 1611, from Robert Williamson of Murieston, who was then the superior. Patrick,<sup>4</sup> son of Thomas, married Janet, daughter of John Bollo of Staine, had sasine in the lands as heir of his father on 3rd February, 1620, and died in 1655 succeeded by his son John, who had a precept of *clare constat* from the superior, John, Earl of Haddington, on 7th April, 1657. In these deeds the lands are described as "the 50s. Temple land on the west side of Oliver Castle," and the Tweedies are designed as "of Oliver Castle," showing that they resided there although they were not the owners of the castle. The castle was in a habitable condition till the middle of the seventeenth century. In 1649 it is said that

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chief of the Order of St. John. Having embraced the principles of the Reformation he resigned the property of the Order into the hands of Queen Mary, who (24th January, 1563-4) was pleased to allow him to retain as personal honours "all the privileges dignities offices and regalities in old time possessed by said James or his predecessors in the Preceptorship of Torphichen"; and to confer upon him all the possessions which had formerly belonged to the knights on payment of 10,000 Crowns of the Sun, and an annual feu-duty of 500 merks. This grant carried with it the dignity of Lord Torphichen.

<sup>1</sup> *Acta Dom. Con.* p. 137.

<sup>2</sup> There was a Thomas Tweedie of Oliver Castle concerned in the murder of Lord Fleming in 1524. His daughter, Margaret, married William Murray of Romanno.

<sup>3</sup> According to Burke his eldest son William was killed in 1604 by John Batesoun, *alias* Jock of the Scoir, who also stole his cows, oxen and horses. Batesoun was hanged at Edinburgh for the crime.

<sup>4</sup> In 1648 he and Walter Tweedie were ordained as elders in the parish, and had "the chairge of collecting for the poor."

Patrick Tweedie built a house<sup>1</sup> on his own lands of Oliver, and after that the family were designed as "of Oliver."

John Tweedie married Elizabeth Laidlaw<sup>2</sup> in 1652, and died in 1669, succeeded by his eldest son Thomas, who married in 1681 Christian Williamson, and on 28th March, 1694, resigned Oliver in the hands of the Earl of Haddington, as superior, for new infeftment to his eldest son James, but under reservation of his own liferent.

Thomas Tweedie was one of the Commissioners of Supply for the county in 1704. In 1717 he and his sons quarrelled with the Hunters of Polmood, but what the dispute was about is not clear; both sides were bound over to keep the peace.<sup>3</sup> In 1719, when Thomas Tweedie was in his 63rd year, an arrangement was made with his son James, who had married the previous year, whereby the latter entered into possession of Oliver, and paid to his father an annuity, partly in cash and partly in kind.

James Tweedie married Margaret Ewart of Sailfoot, Dumfriesshire. In 1724 his father, Thomas, was apprehended for failing to pay his doctor's bill, and James had to pay that, and also other debts amounting in all to 1,800 merks. Oliver was rebuilt during his ownership, at or near the site of the present house. In 1741, in connection with a debt contracted to Michael Anderson (probably of Tushielaw), letters of horning were issued against him, but the debt was paid. James Tweedie died in 1753 and was succeeded by his only surviving son Thomas.

Thomas Tweedie, on 21st August, 1754, had a precept of *clare constat* from John Naesmyth, clerk to the admission of Notaries, who was then the superior of Oliver. He married the same year Jane, daughter of James Brown of Edmonstone, Lanarkshire, and died in 1803. The present dwelling-house at Oliver was built by him. He had a family of four sons and seven daughters, and was succeeded by the fourth but only surviving son Lawrence.<sup>4</sup> Four daughters survived him: Elizabeth or Bethia, who married Thomas Tweedie, farmer at Patervan; Margaret, who married John Anderson, residing at Cramalt; Anne, who married John Crawford, merchant in Leith; and Christian, who married Thomas Stodart, residing at Cardrona Mains.

Lawrence Tweedie had a precept of *clare constat* on 22nd September, 1803, from the superior, Sir James Naesmyth of Posso, Baronet. He never married and on his death Oliver passed to his nephew, George

<sup>1</sup> This house is said "by tradition to have been on very high ground, 1,000 feet above sea-level" (*Tweedie Family*, p. 113).

<sup>2</sup> She may have been a relative of John Laidlaw or Laidly, who married Grizel Scott of Mossfennan (p. 277).

<sup>3</sup> *Tweedie Family*, p. 97.

<sup>4</sup> His elder brother, Adam Ewart Tweedie, a captain in the 12th Regiment, was wounded at the siege of Gibraltar in 1781, and was killed at Guadaloupe in 1794.



Stodart, W.S., the son of Thomas Stodart and Christian Tweedie. He had a charter on 3rd August, 1838, from the superior, David Anderson of Moredun, and on his succession assumed the name of Tweedie.

George Tweedie-Stodart died in 1869 : by his settlement Oliver and also lands which he held in Dumfriesshire were bequeathed to Thomas, his eldest son, who died in 1917. Thomas Tweedie-Stodart married Eleanora Little-dale, daughter of the Rev. John Dick, minister of Tweedsmuir, and was survived by his wife and a family of one son and two daughters. The son, Lawrence Tweedie-Stodart, Engineer in Chief, Chinese Maritime Customs, Shanghai, is now the heir to the lands, and his mother has the liferent. The old Temple superiority has lapsed, as no title to it was completed by the heir of David Anderson of Moredun. Accordingly Oliver is now held direct of the Crown. It is one of the few estates on Tweedside which is still held by the descendents of the earliest known vassals.

The Bield is included within the bounds of Oliver. It is a building on the side of the road, and was at one time used as an inn. The present house dates from 1726, when it was erected by James Tweedie, the contractors being permitted to use the timber and iron-work of the old tower.<sup>1</sup> A stone over the door bears the initials of James Tweedie and his wife, Margaret Ewart.

The present rental is £347 10s.

#### GLENBRECK, BADLIEU, AND TWEEDHOPEFOOT

This large estate adjoins Oliver and Kingledoors on the south and extends up Tweed to within a few hundred yards of its source. The total acreage is about 6,500. The lowest elevation of the ground is 900 feet, but it rises on the western side to a ridge of high hills dividing the Tweed and Clyde valleys : these hills vary from 1,500 feet to over 2,000 feet.

Glenbreck, itself, rated at £6 13s. 4d. of old extent, adjoins Oliver and on it there is a convenient shooting

<sup>1</sup> This tower at the Bield was still occupied in 1696, and Thomas Tweedie of Oliver had difficulty with his tenant there, William Tweedie, and had to eject him.

lodge. It contains about 2,200 acres. Badlieu (which has the strange alternative name of Glenumphard) lies further up the river beyond Glenbreck, and still further up is Tweedhopefoot (or Glencraigs) which lies on both sides of the Tweed and includes the lower part of Cor Water.<sup>1</sup>

A connected story of the lands cannot be told prior to the seventeenth century. Probably they were royal demesne till the time of King Robert I. The Tweedies of Drumelzier acquired them, and they then became a part of the barony of Drumelzier, the proprietor of which still holds the superiority. Only a few of the early transactions have been traced.

In 1331 Roger Tweedie, son of Finlay of "Twydyn" (p. 422), acquired the lands of "Glenbruk" (Glenbreck) from Sir Hugh de Gurelay.<sup>2</sup> James Tweedie of Glenbreck is referred to in 1525 in connection with the Fleming-Tweedie feud<sup>3</sup> (p. 425), and it is said that the Veitches of Dawyck were afterwards in possession of these lands.<sup>4</sup>

The Hunters of Polmood were in possession of the four merkland of Badlieu or Glenumphard (Glenumford) in the middle of the sixteenth century. Robert Hunter in 1549 was infeft therein, and in 1555 gave half of it as part of her jointure lands to his promised wife, Katherine Hay. In 1551 Janet Lauder, the widow of his father, Walter Hunter, was "kenned" to her terce out of the lands, and on the stone bridge of Peebles gave her oath that she would give a tack of her portion for her lifetime to Robert Johnston in Cottis.<sup>5</sup> In 1622 Andrew Hay, writer, had a grant of part of Glenumphard, then said to be possessed by Robert Tweedie, uncle of James Tweedie of Drumelzier.<sup>6</sup>

Glencraigs or Glencrago, as it was then called, was in the possession of James Lowis in 1500.<sup>7</sup> In 1622 there is record of a charter by James Tweedie of Drumelzier to Mr. Alexander Greg, minister of Drumelzier, of lands called Glencraigga (presumably Glencraigs).<sup>8</sup>

The whole property with the exception of one half of Badlieu (which belonged to the Hunters) was acquired by Sir David Murray of Stanhope early in the seventeenth century, but from whom it was acquired is not known. His son William was served in the lands as his heir on 28th April, 1654,<sup>9</sup> and they remained with that family till 1719, when Alexander Murray, younger of Stanhope, sold Glencraigs or Tweedhopefoot and the half of Badlieu to George Hunter of Polmood, and the following year James Murray, brother of Alexander, sold Glenbreck to Sir James Naesmyth of Posso, Baronet. The Hunters already held

<sup>1</sup> This stream at its junction is larger than the Tweed.

<sup>2</sup> *Tweedie Family*, p. 11.

<sup>3</sup> *Ibid.* p. 28.

<sup>4</sup> Renwick: *Historical Notes*, p. 287.

<sup>5</sup> Peebles Protocols.

<sup>6</sup> *Tweedie Family* p. 76.

<sup>7</sup> *Acta Dom. Con.*

<sup>8</sup> *Tweedie Family*, p. 76.

<sup>9</sup> Peebles *Retours* No. 134.

the other half of Badlieu which had "pertained of old" to the family<sup>1</sup> according to the description in the titles.

Glenbreck, for which a feu-duty of 26 merks or £1 8s. 10 $\frac{8}{12}$ d. stg. is paid, remained with the Naesmyths of Posso till 1829 when Sir James Naesmyth sold it to William Steuart of Glenormiston. From him it passed in 1846 by purchase to Anthony Nichol, a Liverpool merchant, then at Cardrona House, who subsequently purchased Kerfield.<sup>2</sup> He died in 1872, and his widow, Letitia Margaret Giles, sold Glenbreck to Houston Mitchell of Polmood.

Badlieu and Tweedhopefoot, for which a feu-duty of 54 merks or £2 stg. is paid, remained with the Hunters of Polmood till 1847, when they were sold by Lord Forbes (Walter Hunter) to George Graham Bell of Crurie, advocate. He died in 1875, and his trustees the following year sold the lands by public roup to the said Houston Mitchell.

Houston Mitchell, who thus became proprietor of the whole property, entailed it along with Polmood, and died in 1881 succeeded by his nephew, Richard Blunt Mitchell, as heir of provision. He disentailed the estates and in 1889 sold the Tweedsmuir lands to Walter Thorburn, M.P. (afterwards Sir Walter Thorburn), for £31,000.

Sir Walter Thorburn was born at Peebles in 1842, and died in 1908. From his father, Walter Thorburn, Springwood, Peebles, he inherited that energy and business acumen which made him and his brothers so successful in the development of the tweed industry of the burgh. In 1871 he married Elizabeth, eldest daughter of David Scott of Meadowfield, Duddingston, and from that year till 1889

<sup>1</sup> On a hot summer day in June, 1620, a herd of cattle under the charge of Robert Mayne, herd to William Veitch of Dawyck, "stertled" and stampeded into the lands of Badlieu, belonging to the Hunters. When the honest herd was laboriously driving them back, Edward Hunter along with David Bell, a tenant in Badlieu, appeared armed with swords. They "violentlie stayit and withstood him fra bringing bak" the cattle—we only know one side of the story—and thereafter they, "being ryding on horsbak, came upoun the said poore naiked (*i.e.*, unarmed) man, . . . lap fra thair horses, and with drawin swerdis in thair handis inuaidit and persewit him of his lyff." He ran with all his speed, but "haveing fallin to the ground" they came upon him and "strak and dung him, trampit upon his bellie, and left him lyand upoun the ground, . . . and he is not likelie to convalesce." Then they turned their attention to the cattle, and "so drave, dang and huste thame" that "thay fell all down to the ground, brak some of thair bakis and leggis." Veitch and his herd complained to the Privy Council, and the defender appeared and denied the charge, which indeed, appears overcoloured. The name of the lands from which the cattle strayed is left blank, but in all likelihood it was Glenbreck, which corroborates the theory that they belonged at one time to the Veitches (*Reg. Priv. Con.* xii. p. 316).

<sup>2</sup> See vol. ii. p. 353.

resided at Kerfield. Keenly interested in agriculture, he took over in 1889 the farms of Orchardmains and Newhall, in the parish of Traquair, and quickly established a high reputation as a breeder of shorthorn cattle. He returned to Kerfield in 1896, where he lived till his death. As a politician Sir Walter Thorburn became even better known. He began life as a Liberal, but after the Home Rule Bill in 1886 he became a Unionist, and in that year successfully contested the constituency of Peebles and Selkirk against Sir Charles Tennant. He held the seat for almost twenty years, defeating Sir Thomas D. Gibson Carmichael in 1892, Alexander O. Murray, Master of Elibank, in 1895, and Edward P. Tennant in 1900, in which year he was knighted. At the election of 1905, when no Unionist seat in Scotland was safe, he was defeated by the Master of Elibank. During that long period he was a most popular representative, and exerted himself to the utmost in the interests of his native county.

Sir Walter Thorburn was a deputy Lieutenant and a Justice of the Peace for the county. He served for one year, 1874-5, as a member of the Peebles Town Council; and he was a member of the Royal Archers, the King's Bodyguard for Scotland. In 1906 he was President of the Highland and Agricultural Society. His eldest son, Captain Walter Ernest Thorburn, died in 1919, as a result of war service; his second son, Mr. David Scott Thorburn, of The Mount, Peebles, is a deputy Lieutenant, a Justice of the Peace, an honorary Sheriff Substitute, and one of the directors of Lowe, Donald & Co., Ltd. (vol. i. p. 224). Another son, Major Charles Thorburn, who is at present a member of the Peebles Town Council, served with distinction through the Great War; and another son, Robert, came over to fight with the first Canadian contingent.

One of Sir Walter Thorburn's brothers is still alive—Mr. Michael Grieve Thorburn of Glenormiston (vol. ii. p. 409), who succeeded the late Lord Carmichael of Skirling in 1926 as Lord Lieutenant of the county. Another brother, Col. William Thorburn, D.L., J.P., of Craigerne, Peebles, died in 1926; he also was closely identified with the tweed





GLENBRECK



SIR WALTER THORBURN OF GLENBRECK



industry in the burgh and the public life of the county, and was chairman of Lowe, Donald & Co., Ltd. He was an enthusiastic Volunteer, and chairman of the Territorial Force Association. As a rifle shot he was well known; he was captain of the Scottish Eight and Twenty, and represented Scotland at Bisley twenty-nine times. Another brother, Robert Thorburn, Springmount, was a writer and banker in Peebles, and died in 1910.

In 1921 Sir Walter Thorburn's trustees sold Glenbreck, Badlieu and Tweedhopefoot to the present proprietor, Mr. Hylton Ralph Murray-Philipson of Stobo Castle.

The rental is £1,147.

#### EARLSHAUGH AND TWEEDSHAWS

These hill farms adjoin Tweedhopefoot and Badlieu on the south, and include the source of the Tweed and the wild glen of Cor Water. The house of Tweedshaws on the roadside was formerly an inn. Above the herd's house at Earls-haugh, on the ridge between the property and Carterhope, is a hill (1,765 feet) called the Crown of Scotland, "for what reason I cannot conceive," says Armstrong.

This property, which was a £4 land of old extent, is also part of the barony of Drumelzier, and a feu-duty of 50 merks or £2 15s. 6½d. stg. was paid. This feu-duty has recently been purchased, and the property is now held of the Crown. When it was first feued is not known.

The earliest recorded vassals were the Langtons, who were in Earls-haugh in the sixteenth century. In 1561 Nicol Langton<sup>1</sup> of Earls-haugh received from Katherine Moffat, lady of Earls-haugh, widow of his father, James Langton of Earls-haugh, a tack of her terce from the lands for £6 yearly: Nicol's wife was Janet Johnston. Colin

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<sup>1</sup> He had a tack of the 9 merk land of Howcleuch from William Johnston of Howcleuch, Dumfriesshire. This tack was rescinded in October, 1559, but Nicol Langton's tenants were allowed to remain till Whitsunday, 1560, and it was a condition that William Johnston should defend them "fra all incursions of thevis and tratouris, . . . that duellis on the landis of Wamphra or Drife." If anything was stolen it was to be restored, and if that was not possible, William Johnston and his brother, the laird of Johnston, were to assist Nicol Langton "to tak als mekle of the saidis thevis and tratouris gudis . . . or burne thame, as the said Nichole plesis" (Peebles Protocols).

Langton of Earlshaugh was before the Privy Council in 1585, and was denounced as a rebel for being concerned in an assault on John Livingstone of Belstane in the parish of Carluke.<sup>1</sup> In 1643 there is record of William Langton of Earlshaugh, and his wife Margaret Johnston who survived him and married in or prior to 1653 Thomas Porteous, a tenant of the lands. Patrick Langton and his son William had a charter of Earlshaugh in 1685 from the superior, the laird of Drumelzier, and in the same year were fined in the Burgh Court of Peebles £50 for assaulting Neil Ewart of Sailfoot,<sup>2</sup> and placed under caution to pay the surgeon's fee for his services to Ewart, whose head had been injured. Patrick married Isabella Porteous, a daughter of William Porteous of Glenkirk, and their son William became one of the heirs portioners to Glenkirk (p. 306). In 1691 Patrick wadset Earlshaugh to James Williamson of Cardrona for 2,500 merks, which in 1698 was increased to 8,000 merks. This wadset was apparently not redeemed, and the Langton connection with Earlshaugh came to an end.

In 1729 James Naesymth,<sup>3</sup> writer in Edinburgh, was the proprietor, and he along with John Sibbald of Burnetland gave evidence in 1734 (p. 255) as to the value of the estate of Broughton. He married in 1710 Isabel, daughter of Mr. John Brown, minister of Crawford, and died in 1754 survived by his wife, by whom he had three children: John, a planter in Virginia who died in 1752; Elizabeth, who died in 1776; and Agnes.

In 1774 John Loch, writer in Edinburgh, is referred to as proprietor of Earlshaugh in a deed relating to the teinds of Hawkshaw. He was succeeded the following year by his son William, and from him the property apparently passed to David Welsh, who was an uncle of Robert Welsh, first of Mossfennan (p. 279). David Welsh married Margaret Welsh, and one of his sons, the Rev. Professor David Welsh, D.D., is a well known figure in church history. He was Moderator of the General Assembly in 1842, and the following year, along with Dr. Chalmers, he led the Disruption.

In 1823 Earlshaugh was held jointly by George Welsh, tenant in Braefoot, and James Welsh, tenant in Corehead, who that year granted a bond to Alexander Kettle, W.S., for £2,000. That bond was assigned in 1825 to the children

<sup>1</sup> Chambers: *History*, p. 109.

<sup>2</sup> He married Elizabeth Porteous (p. 306), and was a brother-in-law of Patrick Langton.

<sup>3</sup> He was connected with the Naesmyths of Posso (see Pedigree).



of the deceased Alexander Welsh, tenant in Cardon, who was a relative of the Welshes of Mossfennan.

George Welsh (who died about 1832) bequeathed his half to the said James Welsh, who had a charter of confirmation of the whole property from Andrew White of Drumelzier in 1833. James Welsh died about 1856, and his trustees, in accordance with the directions of his settlement, conveyed the property in 1872 to his son Thomas.

Thomas Welsh died in 1882, after which the property was held for behoof of his only son Tom, who fought in the Great War as captain in the 5th K.O.S.B., and was killed. His trustees are now in possession.

The rental is £361.

#### HAWKSHAW, CARTERHOPE AND FINGLAND

These three hill farms lie north of Earlsbaugh, and may be conveniently dealt with together, as, although they are now owned by different proprietors, they were one holding in early times. The Fingland and Hawkshaw burns flow direct into the Tweed opposite the lands of Glenbreck, but the Carterhope burn flows into the Water of Fruid, which joins the Tweed below the Hawkshaw burn.

The property, a £15 land of old extent, was apparently royal demesne until the time of King Robert the Bruce, who granted it to Sir David de Lindsay, Lord of Crawford, for his homage and service, and the services of two archers in the King's host.<sup>1</sup> In this grant only the lands of "Hawkeschaws" are referred to, but it is clear that at that time and later, Carterhope and Fingland were considered to be parts of Hawkshaw. Part of Hawkshaw was also known as Glengonvir or Glengonar.

Sir David Lindsay was an ancestor of the Earls of Crawford, and also of the Lords Lindsay of the Byres.<sup>2</sup> His grandson, Sir James Lindsay, was Lord of Crawford and Symington and a number of other baronies, and a powerful man in his day. He fought at Otterburn, and was one of the promoters of the famous fight between the Clan Chattan and the Clan Kay on the Inch of Perth. His sister Isabel

<sup>1</sup> *R.M.S.* i. p. 8. The charter is undated in the Register.

<sup>2</sup> See *Scots Peerage*, iii. p. 10. The family was founded by Sir Walter de Lindsay, who accompanied David, brother of the King of Scotland (afterwards David I) when he took possession of the Principality of Cumbria as tenant *jure uxoris* of the great earldom of Huntingdon.

married about 1369 Sir John de Maxwell of Pollok, and that no doubt explains why Sir John received from his brother-in-law a grant of "Haukschawys, Glengonvir and Fynglen," which was confirmed by a charter from King Robert II dated 19th September, 1372.<sup>1</sup> The superiority of the lands was retained by the Lindsays, and that superiority is still in existence. The holding was blench, viz.: one suit at the court to be holden at Crawford after the feast of Pasch, and payment of 1d. silver thereat.

#### LINDSAY, EARL OF CRAWFORD



ARMS.—1st and 4th Gules, a fess chequy, Argent and Azure, for Lindsay; 2nd and 3rd Or, a lion rampant Gules debruised of a bend Sable, for Abernethy.

CREST.—Out of an antique ducal coronet a swan's neck and wings proper.

SUPPORTERS.—Two lions rampant Gules.

MOTTO.—*Endure fort.*

Sir David Lindsay had no sons, and the superiority passed to his uncle, Sir Alexander, and from him to his son David, who married a daughter of King Robert II, and who became first Earl of Crawford and Admiral of Scotland, and was a mighty man of valour.<sup>2</sup> The

<sup>1</sup> R.M.S. i. p. 100, No. 24.

<sup>2</sup> He accepted a challenge offered by Lord Welles to all Scotsmen, and King Richard granted a safe-conduct for the purpose. The duel

superiority was held by the successive Earls of Crawford as part of the barony of Crawford Lindsay until 25th January, 1495-96, when David, the fifth Earl, alienated that barony, together with the Castle of Crawford in Lanarkshire to Archibald (Douglas), fifth Earl of Angus.

## DOUGLAS, EARL OF ANGUS



ARMS.—Quarterly: 1st Azure, a lion rampant Argent crowned Or, for Macdowall; 2nd, Or a lion rampant Gules, debruised of a bend sable, for Abernethy; 3rd Argent, 3 piles Gules for Wishart; 4th Or, a fess chequy Azure and Argent, surmounted of a bend sable charged with 3 buckles of the first for Stewart; over all, on a shield of pretence Argent a man's heart Gules crowned Or, on a chief Azure 3 stars of the first, for Douglas.

CREST.—A salamander vert in flames and spouting out fire.

SUPPORTERS.—Dexter, a savage wreathed about the middle with laurel, and holding in his hand a baton; Sinister, a stag antlered with 10 tynes Or, both standing on a compartment within a circle of timber stalks proper.

MOTTO.—*Jamais arriere.*

was fought on London Bridge before the King and Queen of England on the day of the Feast of St. George, 1390. Sir David was the victor and exhibited two remarkable feats of strength, as the chroniclers relate. He leaped to the ground and back to the saddle in full armour; and after he had unhorsed Lord Welles, he lifted him on the point of the dagger and hurled him to the ground (Wyntoun, ix. ch. 11).

The King, James IV. was suspicious for a time (and with reason) of the loyalty of this nobleman, and also that of his son George, Master of Angus, with the result that they lost their great border possession of Liddesdale, Eskdale and Ewesdale. The barony of Crawford Lindsay was also taken by the King, but was restored to the Master of Angus, the name being changed to Crawford Douglas. The Master of Angus<sup>1</sup> was killed at Flodden (9th September, 1513) and his father died a few months later.

Archibald, sixth Earl, eldest son of the Master, succeeded his grandfather, and married as his second wife Margaret Tudor, the widow of King James IV, who divorced him in 1528.<sup>2</sup> In 1526 he was guardian of the young King, James V, and for two years was practically ruler of Scotland. He was succeeded in 1557 by his nephew David, son of Sir George Douglas of Pittendreich.

The superiority of Hawkshaw, Carterhope and Fingland continued with this famous family. Archibald, the eighth Earl, "guid Archibald," was for a time the companion and friend of Sir Philip Sidney, who read to him the MS. of his *Arcadia*. William, tenth Earl, became a Catholic and had to leave Scotland: in 1609 he asked permission to return for a few months to bid a "last gudnicht" to his country and friends, but this appeal was refused, and he died in Paris in 1611. His son William was created Marquess of Douglas, and fought for Montrose at Philiphaugh. Archibald, the third Marquess (1694-1761), was created Duke of Douglas by Queen Anne in 1703, when he was nine years old, and with him the family titles come to an end, as he left no family. The estates passed to Archibald James Edward Steuart, who was the eldest son of Lady Jane Douglas (sister of the third Marquess) and Colonel John Steuart, afterwards Sir John Steuart of Grandtully, Baronet. His legitimacy was disputed by other claimants, and a long and celebrated law plea was the result, known as the Douglas Cause. He lost the case in the Court of Session by the casting vote of Lord President Dundas (5th July, 1767), but the decision was reversed by the House of Lords (17th February, 1769). In 1790 he was created a British peer with the title Lord Douglas of Douglas and died in 1827.

Lord Douglas was succeeded by his son Archibald, who was succeeded in 1844 by his brother Charles, who in turn five years later was succeeded by his brother James. He died about 1857 succeeded by his eldest sister Jane Margaret, wife of Henry James, Lord Montagu

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<sup>1</sup> He had three brothers, Sir William Douglas of Glenbervie, who also fell at Flodden, and whose grandson William became the ninth Earl; Gavin Douglas the poet, who translated the *Aeneid* of Virgil, and died of the plague in London in 1522; and Archibald Douglas of Kilspindie, who married Isobel Hoppa, widow of John Murray of Blackbarony, who fell at Flodden (see vol. ii. p. 472). She is said to have been "a rich widow" and to have "totally ordered her husband."

<sup>2</sup> By her he had a daughter Margaret, who married Matthew, fourth Earl of Lennox, and was the mother of Henry, Lord Darnley.



of Broughton. Their daughter Lucy Elizabeth married in 1832 Cospatrick Alexander, eleventh Earl of Home, and on the death of her mother in 1859 succeeded to the Douglas estates, which now belong to the Home family, and the superiority is now held by Charles Cospatrick Archibald, twelfth Earl of Home, K.T.

Turning back to deal with the grant of the lands to Sir John Maxwell of Pollok, which was confirmed in 1372 (p. 392), there is record of an indenture made at Dumbarton in the year 1400 between Sir John of Maxwell, Lord of Nether Pollok, and his son Robert, on the one side, and Sir John of Maxwell, the son and heir of the Lord of Nether Pollok, on the other side, according to which it was agreed that Robert and his heirs should have the "Hawkschawland, Fynglen, and Carterhope in Twede muir" with certain lands in the sheriffdom of Lanark.<sup>1</sup> Thereafter the lands continued to be held by a branch of the Maxwell family, and they were subfeued to the family of Porteous, but when this took place there is no record. The result was that a third superiority was created—the Crown being the over-superior of the barony of Crawford Lindsay or Crawford Douglas, the successive proprietors of that barony being the superiors of the Maxwells, and the Maxwells and their successors being the superiors of the family of Porteous and their successors.

The chartularies of the barony do not go back beyond the beginning of the seventeenth century. In 1626 the holder of the third superiority was Edward Maxwell, son of Sir James Maxwell of Caldercross, and it is reasonable to infer from that entry that the Maxwell family had been in continuous possession since the grant confirmed in 1372. In 1635 Sir James Maxwell of Caldercross, Baronet, was the proprietor, and he transferred his right of superiority to Sir William Murray of Stanhope, Baronet, from whom it passed in 1696 to his son, Sir David Murray, and in 1738 to Sir David's son, Sir Alexander. In 1738 the owner of this superiority was James (Stewart), fifth Earl of Galloway, and his son Alexander, the sixth Earl, conveyed it in 1763 to William Loch, a writer in Edinburgh.

Dealing now with the right of property, this was held by the family of Porteous for almost three centuries. There was a "tower" on the banks of Hawkshaw burn which is marked on Blaeu's map, and near it in ancient times was a chapel on the banks of Fruid Water, the remains of which were still visible in the eighteenth century, "standing in a cemetery which was not then altogether forsaken."<sup>2</sup>

There was a WILLIAM PORTEOUS of Hawkshaw in 1439.<sup>3</sup> In 1467 THOMAS PORTEOUS of Hawkshaw is referred to.<sup>4</sup> He took action against Walter Tweedie of Drumelzier for some wrong which is not specified,

<sup>1</sup> *Origines*, i. pp. 206-7.

<sup>2</sup> Pennecuik: *Description of Tweeddale*; *Origines*, i. p. 205. One of the small streams flowing into Carterhope burn is still called Priesthope burn.

<sup>3</sup> Stodart's *Scottish Arms*.

<sup>4</sup> Yester Writs.

and obtained a judgment in 1478 on behalf of himself and the widow and children of Herbert Porteous.<sup>1</sup> On 27th October, 1479, the Lords of Council in Edinburgh ordained that :

" Jofra Lital and William Litill sall restore to Thomas Porteous of Halkschawis 18 score of scheip with yowis, price of the pece, 4s. ; spulzeit, takin and withholdin be the said Jofra and William out of the landis of Halkschawis." <sup>2</sup>

Ten years later Porteous had to

" content and pay to William, Lord of Sanct Johns, 3 scor and 14 lammis taken be him of the said Williamis landis of Olivercastell, . . . quhilkis gudis pertenis to the said William . . . be ressoun of eschet, throw the being of William Twedy and Laurence Twedy, his tennents, beand at our soverane lordis horne for the tyme." <sup>3</sup>

#### PORTEOUS OF HAWKSHAW



ARMS.—Azure 3 stags' heads couped Argent, attired with 10 tynes.

He was a turbulent fellow, this Porteous, and in the accounts of the Lord High Treasurer there is an entry on 6th August, 1491, "to pass to the lordis of Lammyngton, Drummelzeare, and Hawkshawis, to gar them cess a gadering." John Tweedie of Drumelzier sued him in 1500 for 40s. and 100 hogs which his father, James Tweedie of Drumelzier, had given Porteous in part payment of a larger sum to be paid on the completion of the marriage of the deceased Thomas Porteous (evidently a grandson), son of Patrick Porteous.<sup>4</sup> In the same year he was also sued for molesting the tenants of James Lowis in Glenrago (Glenraigs). Thomas Porteous had two sons,

<sup>1</sup> *Acta Audit*, p. 81.

<sup>2</sup> *Acta Dom. Con.*

<sup>3</sup> *Ibid.*

<sup>4</sup> *Acta Dom. Con.*

Patrick, who succeeded, and Oswald who married Janet Fleming, and to whom John Tweedie of Drumelzier had to make reparation in 1489 for wrongfully occupying his half lands of Kingledoors, valued at £10 yearly.<sup>1</sup>

PATRICK PORTEOUS succeeded his father before 1507, and in 1511 granted a bond of manrent to John, Lord Hay of Yester.<sup>2</sup> He was also a dependant of Malcolm, third Lord Fleming, and was among those who were taken under the royal protection during his master's absence in France in connection with the King's (James V) marriage.<sup>3</sup> He had a son John who is referred to in 1551 as younger of Hawkshaw,<sup>4</sup> but he must have predeceased his father, for the next laird of Hawkshaw was Adam Porteous, probably another son of Patrick.

ADAM PORTEOUS was laird in 1555, in which year there was a dispute with Albert Johnston of Poldean.<sup>5</sup> Adam's son John was contracted to marry Albert's daughter Margaret, and John declined to implement the contract, complaining that Johnston was not fulfilling his part of the bargain, and that Margaret was past thirteen years of age. The dispute was settled by John Porteous assigning to Johnston the lands of Finglen (Fingland).<sup>6</sup> Adam Porteous had another son, Oswald, and also a daughter, Elizabeth, who married in 1561 Alexander Dishington in Carrington.

SIR PATRICK PORTEOUS, probably a son of John, mentioned above, is the next laird of Hawkshaw of whom notice has been found. He was concerned in the murder of James Geddes of Glenhigton at the hands of the Tweedies (p. 283). In 1602 he signed at Peebles along with other proprietors in the county the "General Bond" against the border thieves and raiders. The following year he was in ward in the tolbooth of Edinburgh at the instance of George Hay of Monkton for failing to find "lawburrows." In 1621, being at the horn for debt, a messenger was sent to arrest him and take him to the tolbooth of Edinburgh. They broke their journey at the house of James Geddes in "Cruik of Tweddell" (the Crook Inn), but after that they did not get far on their way, for a number of his neighbours armed themselves and pursued and rescued Porteous. Two years later he was again put to the horn, and Lord Yester, the sheriff, sent his officer to poind some of the stock at Hawkshaw for payment of a tax which had been levied. Cattle were seized and driven off to Peebles, but before they had gone two miles Porteous overtook the officer, threatened him with death, and drove the cattle home.<sup>7</sup> This lawlessness did not prevent him

<sup>1</sup> *Ibid.*    <sup>2</sup> Yester Writs.    <sup>3</sup> *Reg. Privy Seal.*    <sup>4</sup> Peebles Protocols.

<sup>5</sup> The Johnstons of Poldean held the lands of Cockieland in Tweedsmuir (p. 414).

<sup>6</sup> *Ibid.* John Porteous is sometime designated "of Finglen," and in a sasine (given by his father to David Welsh, son of David Welsh in Craig Kingledoors), in one third of Fingland, it is said to have been given in the house in which John lived (Peebles Protocols).

<sup>7</sup> *Reg. Privy Council.*

being made a burghess of Peebles in 1634.<sup>1</sup> He followed Montrose in his fight for the King, for which he had to appear before the kirk-session of Tweedsmuir in December, 1646, and "make satisfaction."<sup>2</sup> His wife was Isabella Govan, sister of William Govan of Cardrona, and he lived till about 1650 and was succeeded by his son John. A daughter Elizabeth married James Williamson of Hutcheonfield.<sup>3</sup> Another, Janet, married Walter Scott of Gamescleuch,<sup>4</sup> from whom descended the Lords Napier of Merchiston.

JOHN PORTEOUS married Mary Ramsay, and on 10th November, 1677, made over his property (which had previously been wadset to his brother-in-law, James Williamson) to his elder son Patrick. Another son, James, was a surgeon in Peebles. John Porteous died about 1683.

PATRICK PORTEOUS was made a burghess of Peebles on 2nd May, 1678. He married in 1681 Mary Scott, daughter of William Scott of Headshaw, and on the death of her brother John in 1691 she became his heiress. In 1683 he purchased Chapelhill, which he sold in 1692.<sup>5</sup> Fingland was wadset in 1683 for 2,000 merks to Patrick Govan in Peebles—perhaps this money went towards the purchase price of Chapelhill. Carterhope in 1686 was wadset to John Scott of Linton, and in 1700 the whole property was wadset for 9,000 merks to James Williamson of Cardrona, whose son Walter had a charter from Porteous in 1707. This charter was in security of debt, and the same year Porteous transferred all his lands to his daughter Henrietta and her husband, Michael Anderson of Tushielaw.<sup>6</sup> He had another daughter, Elizabeth, who married Alexander Williamson of Chapelhill. The provisions of these two daughters were fixed by their father's marriage contract at 7,000 and 5,000 merks respectively. Patrick Porteous died before 1738, and with him the male line came to an end.

MICHAEL ANDERSON,<sup>7</sup> who thus became proprietor, quartered the Porteous arms in virtue of his marriage, and entailed the lands in 1714.<sup>8</sup> He died in 1719 and was succeeded by his son Michael, who

<sup>1</sup> Burgh Court Books.

<sup>2</sup> Kirk Session Records.

<sup>3</sup> Vol. ii. p. 332.

<sup>4</sup> Brother of Sir Robert Scott of Thirlstane. He took part in the rescue of Kinmont Willie from Carlisle Castle in 1596, and was killed in a duel in 1609 by John Scott, son of Walter Scott of Tushielaw (*Scots Peerage*, vi. p. 430).

<sup>5</sup> Vol. ii. p. 320.

<sup>6</sup> His father, Michael Anderson, married a sister of Walter Scott, last of his line in Tushielaw. He also married Margaret, daughter of Sir Michael Naesmyth of Posso.

<sup>7</sup> It was probably he who took out letters of horning against James Tweedie of Oliver (p. 384).

<sup>8</sup> It was one of the provisions of the entail that no heir of entail could "be a Papist or once profess papery"; also that the heirs succeeding should "assume, bear, wear and use the surname, arms and designation of Anderson of Tushielaw."



in 1732 married Janet, daughter of Sir James Naesmyth of Posso, and who in the year of his death, 1762, conveyed Hawkshaw to trustees for his creditors, this deed being in fortification of a similar disposition to trustees in 1742. In 1769 the trustees, in implement of articles of roup executed in 1762, sold the lands of Hawkshaw (not Carterhope and Fingland) to William Loch, writer in Edinburgh, who, as we have seen (p. 395), in 1763 acquired the third superiority of the whole lands, including Carterhope and Fingland.

## ANDERSON OF TUSHIELAW



ARMS.—Quarterly: 1st and 4th Argent, a saltire engrailed sable, between 2 Crescents in chief and base, and as many mullets in the flanks gules, all within a bordure waved of the last; 2nd and 3rd Azure, 3 bucks' heads coupéd Argent attired Or—for Porteous.

CREST.—A sword in pale encircled with 2 olive branches.

MOTTO.—*Pro bello vel pace.*

Dealing now with the three lands separately—

## HAWKSHAW AND GLENGONAR

William Loch <sup>1</sup> died about 1779, succeeded by his son James Loch, W.S., who in turn was succeeded in 1795 by his second son James. In 1797 this son, Lieut. James Loch,

<sup>1</sup> He was a son of John Loch, merchant in Edinburgh, and uncle of John Loch of Rachan (p. 285). He had a brother William who went to Jamaica, and three sisters, Elizabeth (from whose settlement dated 30th December, 1779, this information is derived); Mary, wife of Lachlan M'Tavish of Dunardry; and Isabel.

sold the superiority of the whole lands, and the property of Hawkshaw and Glengonar, to William Govan of Hermiston, to whom succeeded his sisters and nephew, who had a charter of confirmation and precept of *clare constat* in 1820 from Lord Douglas of Douglas. The sisters were Agnes, Christina, Elizabeth, who married Archibald Smith, tobacconist, Peebles, and Margaret, who married William Stewart, brushmaker and ironmonger in Edinburgh. The nephew was John Horsburgh, baker, Edinburgh, son of a deceased sister Isobel, who had married Alexander Horsburgh, baker in Peebles. These heirs portioners conveyed the same year (1820) to the sister Agnes, who died in 1824 leaving a settlement in favour of William Stewart, late ironmonger, Edinburgh, her nephew, and his heirs, whom failing Adam Stewart, his younger brother. Under this destination, Adam Stewart, by a decree of the Court of Session in 1831, was found entitled to succeed to the superiority and the property. In his day he was a prominent Liberal, and took an active part in the political activities of the county during the fight for electoral reform. He sold his property in 1846 for £9,000 to George Graham Bell of Crurie, from whom it passed in 1864 to his second son Richard.

Richard Bell in 1889 sold Hawkshaw and the superiority<sup>1</sup> for £10,000 to David Lyell, sometime residing at Pressock in the county of Forfar. That superiority was then extinguished, and in 1889 an agreement was made with the Earl of Home, the second superior, whereby the casualties were redeemed and the feu-duty fixed at £10.

David Lyell died in 1908, and his trustees in 1911 sold Hawkshaw to the present proprietor, William Murdoch Moffat, Craigbeck, Moffat.

The present rental is £375.

#### FINGLAND

Perhaps the dispositions to trustees for behoof of creditors granted by Michael Anderson (the second),

<sup>1</sup> He retained the superiority of Fingland and Carterhope, and that is still held by his descendants.

son of the entailer, in 1742, and in 1762 did not include Fingland and Carterhope. If they did, the family later regained their title.

Michael Anderson had three sons, Michael (the third), John, and Patrick. Michael (the third) had one son, Michael (the fourth), and a daughter, Barbara. Michael (the fourth) who married Isabella, daughter of Peter Colville, younger, of Ochiltree, died without issue in 1779, and the property then passed under the entail to his uncle Patrick, a younger brother of Michael (the third). He was infeft in Fingland and Carterhope in 1782 on a charter by James Loch, W.S., the superior, dated 29th March, 1781; he married Rachel Watt, and, dying without issue in 1786, was succeeded by his niece, Barbara (a sister of the fourth Michael Anderson), who was infeft in 1788. Barbara Anderson was twice married: to Alexander Kirton, chirurgion in Barbados, and to William Castor, supervisor of excise, Northampton. By the first marriage there was one son, John Kirton, who was born at Tushielaw in 1758, succeeded to the property, assumed the name of Anderson in accordance with the entail, and became John Kirton Anderson of Tushielaw.

John Kirton Anderson in 1801 had a decree of removing against Thomas Tweedie of Oliver from Fingland, which had been leased to him for nineteen years on 11th April, 1782, by Patrick Anderson. In 1812 Fingland (which was then occupied along with Carterhope by Robert and David Welsh, as sub-tenants of the principal tenant, Gilbert Chisholm), was exposed for sale by John Kirton Anderson in order to provide funds for the redemption of the land tax applicable to the rest of his property. The upset price was £3,000, and it was purchased by Henry Scott, merchant, Edinburgh, on behalf of Gideon Scott, tenant of Kirkhope, for £3,540. This was confirmed by a charter from the immediate superior, William Govan of Hermiston (p. 400), in 1817; and the feu-duty payable was £1 13s. 6d.

From Gideon Scott the property passed to his nephew, William Scott, whose son, Mr. William Scott, is the present owner. The immediate superiors are now the trustees of the late Richard Bell of Crurie and Castle O'er.

The rental is £250.

CARTERHOPE<sup>1</sup>

John Kirton Anderson, as we have seen, became the proprietor of Carterhope and Fingland. He married Angel Price, and died without issue in 1816. On 15th August, 1818, his grandniece, Ann Vernona Simmons, was served as his heir. She was the only child of Philip Simmons of the parish of St. Michael in the island of Barbados, who was the eldest son of Ann Kirton (a sister of John Kirton Anderson) and her husband, Henry Peter Simmons, of the parish of St. Philip in Barbados.

Ann Vernona Simmons, who assumed the surname of Anderson, was twice married—in 1818 to Benjamin Gaskin, Commissary General of Jamaica, who died a few weeks after marriage, and in 1828 to the Rev. Thomas Gordon Torry,<sup>2</sup> Edinburgh, son of the Right Rev. Patrick Torry, Bishop of St. Andrews. By the first marriage there was one child, Benjamin Thomas Gaskin Anderson; and by the second marriage two daughters, Vernona Thomas Christian Torry Anderson (wife of Richard Sidney Smith of the Royal Navy, commander of the coastguard at Yarmouth), and Patricia Jane Torry Anderson.

Benjamin Thomas Gaskin Anderson succeeded his mother, and had a precept of *clare constat* on 5th January, 1838, from his superior, Adam Stewart of Hawkshaw. He married his cousin, Emily Claston Callendar, Barbados, and died in 1855, succeeded by his son of the same name, who was served as heir on 2nd May, 1860, and had a writ of confirmation from the superior, George Graham Bell of Crurie, on 13th December, 1865. This heir died on 23rd September, 1908, without issue and was succeeded by his third cousin,<sup>3</sup>

<sup>1</sup> Called Carterhauch in 1561 and 1639.

<sup>2</sup> He contributed a poem, *On the Death of Col. Cameron of the 92nd Highlanders, at Charlevoix, 16th June, 1815*, in a book of poetry illustrating the achievements of the Duke of Wellington and his Officers, edited by Major George Webb de Renzy, Barrack Master, Dundee, published in 1852.

<sup>3</sup> Philip Simmons (the father of Ann Vernona Simmons who was served heir to the property in 1818) had two younger brothers, Henry Peter Simmons of Vancluse, Barbados, who left no lawful issue, and John Simmons of the plantation of Foursquare, Barbados.

That family owned extensive sugar plantations in Barbados, which



Henry Peter Carter Simmons Anderson, residing at Hastings, Barbados, who was served as such on 6th August, 1910. He disentailed the lands in 1912, and sold Carterhope in 1925 to the tenants, John, James and Ebenezer Braidwood Masterton, farmers. The previous tenant was the late Tom Welsh, proprietor of Earlsbaugh (p. 391). The original feu-duty was £1 10s. and is now (including commutation of casualties) £6 13s. 4d. The immediate superiors are the trustees of Richard Bell of Crurie and Castle O'er.

The present rental is £295.

#### FRUID

This large sheep farm is bounded on the west by Earlsbaugh and Carterhope, on the south by Gameshope, on the north by Menzion and on the south by the county of Dumfries.

It contains the upper half of Fruid Water, which rises in a wild and lonely glen on the shoulders of Hartfell (2,651 feet). The principal herd's house is at the north end on the banks of one of the numerous smaller streams, and is approached by a road from Tweedsmuir through Menzion and up Fruid Water.

The proprietors in early times were the Frasers, who built a castle there, no trace of which now remains, but it is supposed that the site

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were derived from Mary Simmons, the second wife of Philip Simmons, an elder brother of Alexander Kirton, who married Barbara Anderson. The will of Mary Simmons, dated 15th November, 1789, contains several specific bequests of slaves on the plantations, *e.g.* "Charlotte, a woman, and her children Hannah, Bess, and Nelly, girls, and Adam, a boy, with the issue and increase of the said female slaves."

John Simmons married in 1805 Mehitabelle Ann Edey, and died at Foursquare, Barbados, in 1828. His eldest son, Henry Peter Simmons, spent part of his life farming in Canada, the farms being provided by his uncle of the same name: he married in 1828 Mary Bell Ann Dear, and died in 1863, aged 50, at Collymore Rock, Barbados, leaving one son, John Alleyne Simmons.

John Alleyne Simmons was born in Canada in 1841, married in 1870 Marion Dallas Brown, and died in Hastings village, Barbados, in 1898. His only surviving child was Henry Peter Carter Simmons, who assumed the name of Anderson on his succession to Tushielaw and Fingland and Carterhope.

was in the vicinity of the herd's house, and the tradition is that this castle was the first which Oliver Fraser built. The lands were part of the barony of Oliver Castle, and were possessed by a branch of the Fraser family for almost two centuries after the main line of the Frasers of Oliver died out. After the death of Sir Simon Fraser in 1306 (p. 378) the barony passed into the hands of the Flemings and the Hays and both, as we shall see, laid claim to the superiority of Fruid.

There is record of Thomas Fraser (or Frizele) of Fruid in 1426: he had also lands in the barony of Drumelzier, which that year he resigned and renounced to the superior, Walter Tweedie of Drumelzier,<sup>1</sup> receiving the following year an annual rent out of Drumelzier of 44s.<sup>2</sup> He was still designed "of Fruid" in 1439.<sup>3</sup> In 1445 William Fraser (probably a son of Thomas) got sasine of Fruid both from the bailie of Hay of Yester and the bailie of Lord Fleming, showing that there was a doubt at that time as to which family had the better right. This doubt was apparently settled in 1470, when by excambion Sir David Hay of Yester had a grant of the superiority along with the lands of Oliver Castle and other lands (p. 381). Thomas Fraser of Fruid is referred to in 1476,<sup>4</sup> and in 1490 William Fraser<sup>5</sup> resigned Fruid in the hands of his superior, John, first Lord Hay of Yester, for new infeftment to William Fraser (probably a nephew), son of Simon Fraser, under reservation of his own liferent and his wife's terce.<sup>6</sup> This William<sup>7</sup> married Agnes Johnstone, and on 28th July, 1500, he had a charter of resignation from the superior, John, first Lord Hay of Yester, according to which Fruid was held blench for payment of a pair of black spurs.<sup>8</sup> In 1507 he resigned the annual rent of 44s. before mentioned to John Tweedie of Drumelzier,<sup>9</sup> and in 1512 was again infeft in the lands of Fruid, owing to their having been "recognosced" by the Crown along with other lands in the barony of Oliver Castle. William Fraser died about 1512, in which year his widow, Elizabeth Douglas, disposed to John Tweedie of Drumelzier the rents of Fruid and Mossfennan during the nonage of her children.

Katherine Fraser of Fruid now appears on the scene, one of the central figures in the famous Fleming-Tweedie feud, the story of which is told in another chapter (p. 425). She was served on 20th June, 1523,

<sup>1</sup> Duns Castle Report.

<sup>2</sup> Yester Writs.

<sup>3</sup> Wigtown Inventory.

<sup>4</sup> *Tweedie Family*, p. 19.

<sup>5</sup> He was one of the witnesses to the endowment of ground in Peebles to the chaplainry of St. James' altar in the parish church there. Sir Thomas of Crawford (the town clerk of Peebles at the time) was chaplain of the altar (Peebles Protocols).

<sup>6</sup> Wigtown Inventory.

<sup>7</sup> He had sasine of Mossfennan (p. 276) in 1498 on a precept from the superior, George Porteous of Glenkirk.

<sup>8</sup> Neidpath Inventory.

<sup>9</sup> Duns Castle Report. William Fraser's seal is on the deed—on a shield 3 frases, 2 and 1.

as heiress to her grandfather, William Fraser (from which it may be inferred that she was either the daughter or niece of the last proprietor), and the following month she had a precept of *clare constat* from John, third Lord Hay of Yester. This was sufficient authority, as Lord Hay was clearly the superior under the excambion of 1470. But John, second Lord Fleming, desired that this young woman should marry his son Malcolm, and with that design in view he put forward a claim as feudal superior to her ward and marriage. Steps were actually taken to have her re-served as heiress, to which Lord Hay of Yester objected; but a more strenuous objector was John Tweedie of Drumelzier, who intended Katherine to marry his nephew James. The result was the assassination of Lord Fleming on 1st November, 1524, and the imprisonment of his son Malcolm in Drumelzier Castle. As a condition of Malcolm's release, Tweedie insisted that Katherine should be handed over to him, and also the writs and evidents of her lands. This was done on 25th November, as a notarial instrument by Thomas Kincaid of that ilk bears, Katherine protesting at the same time that she only agreed in order to secure the liberation of her husband, Malcolm Fleming. This reference to Malcolm Fleming as her husband can only mean that she was affianced to him, for when she arrived at Drumelzier she was promptly married to James Tweedie. It is a singular story, and Katherine is a mysterious figure in it. Probably the Tweedies did not greatly care whether she was a willing bride or not, as *might* to them was always *right*, and their family motto, if they ever stopped to think about it, must have caused them ironic amusement. But was Katherine unwilling? It is just as likely that young Tweedie was the man of her choice, for there is no evidence to show that Malcolm Fleming's life was in danger at Drumelzier, and it is improbable that she would surrender herself to secure his liberation knowing that such a course would inevitably lead to a forced marriage with Tweedie. Malcolm Fleming himself, we can imagine, would not have consented to such an arrangement if he truly desired Katherine.

For their crime the Tweedies were punished, and Katherine by order of the Privy Council had to convey to the Flemings her possessions in the parish of Glenholm<sup>1</sup>—the £4 10s. lands of Mossfennan (p. 276), the 40s. lands of Smellhope (p. 300), and the 40s. lands of Uriesland (p. 300)—and the deeds were granted by herself and her husband in 1531. Of her husband, James Tweedie, little is known beyond the

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<sup>1</sup> We have seen that the Flemings laid claim as superiors of Fruid to the feudal casualty of marriage which was payable by an unmarried heir, male or female. The amount payable was the sum which might reasonably be expected as tocher. This conveyance by Katherine was in discharge of that claim which had apparently been upheld by the Privy Council, although it is difficult to see how it could be justified so far as Fruid was concerned, for the Hays were, and continued afterwards, to be the superiors. It is just possible, however, that the Flemings' claim extended also to the Glenholm lands, and it is not unlikely that they were superiors at least of Smellhope and Uriesland.

manner of his death, but his name frequently appears as a witness to deeds. He and his brother John were appointed executors by James Tweedie of Drumelzier in 1556, but both appeared in St. Mungo's kirk of Kirkurd, and declined the office.<sup>1</sup> Katherine Fraser died in or about 1560, and was succeeded by her son James. There were two other sons, Patrick and William. Her husband survived her, and met a violent death in Edinburgh in December, 1561. He was seated before the fire in the house of a kinsman, William Tweedie, burgess of Edinburgh, when he was suddenly attacked and mortally wounded before he could defend himself. Patrick and John Hunter (perhaps of the Polmood family) and others were tried for this murder and acquitted.<sup>2</sup>

James Tweedie, the son of Katherine, was served heir to his mother on 11th January, 1560-1, sasine being taken in the tower of Fruid on a precept from the superior, William, fifth Lord Hay of Yester. The following month he resigned the lands on bended knees at Neidpath Castle in the hands of Lord Yester for new infeftment, but under reservation of his father's right of courtesy.<sup>3</sup> He married in 1563 Christian Scott, presumably a daughter of Philip Scott in Dryhope,<sup>4</sup> and in 1579 resigned Fruid in favour of his son John. But he was still alive in 1585, in which year there is record of a quarrel between him and his kinsman, James Tweedie of Drumelzier, as a result of which the latter had to find sureties for his good behaviour.<sup>5</sup> He died between that year and 1596.

John Tweedie, the son of James, married Janet Elphinstone, and with her consent and also with consent of James Tweedie of Drumelzier, at whose instance he had been interdicted, he granted a deed on 10th October, 1596, undertaking for a certain sum of money to obtain himself infeft as his father's heir. Along with others he was called on in 1599 to find caution that he would observe the King's peace.<sup>6</sup> On 23rd May, 1604, with consent of James Tweedie of Drumelzier, he conveyed the lands of Fruid to Gavin Thomson,<sup>7</sup> a burgess of Peebles. Thomson four years later resigned them to the said James Tweedie, who had a charter from James, seventh Lord Hay of Yester, on 18th May, 1608.

<sup>1</sup> Peebles Protocols.

<sup>2</sup> *Tweedie Family*, p. 37. James Tweedie, after Katherine's death, was married again. On 20th March, 1561-2, his widow, Margaret or Begis Weir, appointed John Tweedie, her natural son, her assignee to the kirklands of the vicarage glebe of Stobo, which she occupied (Peebles Protocols).

<sup>3</sup> The right of a surviving husband to a liferent of heritage in Scotland in which his wife died infeft.

<sup>4</sup> Philip Scott and his two sons, Simon and Walter, were present at her ante-nuptial infeftment in part of the lands of Fruid on 30th August, 1563.

<sup>5</sup> *Tweedie Family*, p. 44.

<sup>6</sup> *Reg. Priv. Con.*

<sup>7</sup> See vol. ii. p. 291.



James Tweedie of Drumelzier, who thus became the proprietor of Fruid, granted in 1608, with consent of his son James, a wadset over the lands for 9,000 merks to Thomas Porteous, tenant of Fruid, and his eldest son Thomas. In 1620 the lands themselves were conveyed by James Tweedie, the son, to John Murray of Halmyre, and the above wadset was excepted from the warrandice. Thomas Porteous, the son (the holder of the 1608 wadset), granted in 1625, with consent of Margaret Scott, his wife, a wadset over Fruid to Thomas Lindsay, merchant and burgess of Biggar, to whom he was indebted. Under this deed the lands were conveyed with a clause of reversion on payment of £769, which in 1628 was increased to £1,329 and accrued interest. Two years later Lindsay assigned his wadset rights to David Murray of Halmyre, who was the proprietor of the lands (under burden of the 1608 wadset) as son of his father, John Murray. On 10th August, 1632,<sup>1</sup> David Murray (then designed as of Stanhope), for "certain sums of money," sold Fruid to John, eighth Lord Hay of Yester (afterwards first Earl of Tweeddale), whose family had held the superiority since 1470. That superiority was extinguished and the lands have since been held direct of the Crown.

Fruid thus became part of the Neidpath estate<sup>2</sup> and remained with the successive proprietors of that property until 1919, when it was sold to John, James, and Ebenezer Braidwood Masterton.

The present rental is £335 5s. 8d.

#### GAMESHOPE AND MENZION

These two large sheep farms may be taken together as Gameshope<sup>3</sup> was originally part of Menzion. The lands were part of the barony of Oliver Castle and as such belonged to the Frasers.

After the death of Sir Simon Fraser they were divided between his two daughters Joanna and Mary, who married respectively Sir Patrick Fleming and Sir Gilbert Hay (p. 378). Over Menzion thereby became the property of the Flemings and Nether Menzion of the Hays.

<sup>1</sup> It is said (*Tweedie Family*, p. 80) that James Tweedie, after the loss of Drumelzier in 1623 (p. 431), settled down at Fruid. This is unlikely, unless he lived there as a tenant, as he had at that time no right to the lands. It is true that he was on 3rd February, 1631, served as heir to his father in Fruid, and that he had a precept of *clare constat* in 1633 from Lord Hay, but these were only with the view of fortifying the purchaser's title.

<sup>2</sup> See vol. ii. p. 291.

<sup>3</sup> This name does not appear in any titles until recently. Probably it was not in use before the eighteenth century.

## (I) OVER MENZION

The extent of this property cannot now be definitely ascertained, but it included the upper part of the Menzion burn (where Upper Menzion is still marked on the Ordnance map), and also the wild glen of Gameshope. The earliest writ traced is a charter on 7th November, 1395, by Sir Malcolm Fleming to his second son Patrick of his lands in the barony of Oliver Castle, viz. : Overmenzeon (Over Menzion)<sup>1</sup> and Glenrusco (Glenriska).

Patrick Fleming was dead by 1421, and apparently he met his death at the hands of his nephew, Malcolm Fleming of Biggar. But Partick's son James, styled "of Bord," forgave his cousin, and on 3rd November, 1421, renounced in his favour all his rights in the lands. Malcolm Fleming's brother David also received on 26th January, 1425-6, a grant from James Fleming of his right to the lands of Bord (Dumbartonshire) and Menzion, followed by a bond undertaking as soon as those lands were recovered, to infeft David Fleming therein. These deeds do not appear to have been acted on, or perhaps James Fleming reacquired the lands, for it is in record that he afterwards resigned Over Menzion in the hands of Robert, first Lord Fleming, for new infeftment to his son and apparent heir, William Fleming,<sup>2</sup> showing that the superiority of the property had been retained by the main line of the Fleming family. This William Fleming on 3rd January, 1502-3, conveyed Over Menzion to John, second Lord Fleming (who held the superiority), receiving in exchange the lands of Nether Auchinreoch, in the barony of Auchtermoney; and he bound himself to deliver all the writs he had of Menzion and Glenriska, so that a disposition of them might be drawn up in favour of John Murray of Sandlahill (evidently a mistake for Falahill),<sup>3</sup> who had purchased them for £80. Perhaps it was as a result of this grant to John Murray that Lord Fleming forfeited his superiority. Lord Fleming held Over Menzion direct of the Crown, and under the rules of feudal usage he forfeited his right if he alienated the greater part of the lands without the King's consent. Such a forfeiture was technically termed the casualty of recognition, and it came into operation here.

On 17th February, 1506-7, the sheriff of Peebles was directed to "recognosce" the lands of Over Menzion and Glenriska (called here Glenslow), belonging to Lord Fleming, and also the lands of Blackbarony belonging to John Murray of Blackbarony.<sup>4</sup> This was done

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<sup>1</sup> The charter is in the Wigtoun charter chest : there was also a confirming charter by King Robert III. referred to in Robertson's *Index* (p. 146, No. 37), in which the name is corrupted into Honemener.

<sup>2</sup> Charter undated : Wigtown charter chest.

<sup>3</sup> He was probably the hero of the ballad, *The Outlaw Murray*.

<sup>4</sup> He was probably a cousin of John Murray of Falahill, before mentioned.

on 6th March, and on 9th June, 1508, King James IV. granted<sup>1</sup> a charter of Over Menzion to John Murray of Blackbarony, Lord Fleming giving his consent to Murray's infeftment in the lands which were to be held ward of the Crown and attached to the barony of Haltoun Murray or Blackbarony.<sup>2</sup>

John Murray was killed at Flodden, and his son Andrew was served as his heir in Over Menzion on 13th February, 1513-4. But the lands were liferented by John Murray's widow, Isobel Hoppar, who married as her second husband Archibald Douglas of Kilspindie, uncle of Archibald, Earl of Angus (p. 394, footnote). This liferent she forfeited owing to the political activities of the Earl, and on 8th February, 1532-3 a royal gift of the rents of Over Menzion was made to Malcolm, third Lord Fleming. The lands themselves were redeemed in 1535 by Lord Fleming from Andrew Murray by a payment of 360 merks, and Over Menzion was included in a charter of confirmation of his properties granted by King James V. on 9th April, 1538.

The Fleming family retained their title until 1636, when John (Fleming), second Earl of Wigtown, conveyed Over Menzion to Sir David Murray of Stanhope, who on 17th March, 1645, got a Crown charter incorporating the lands into the barony of Stanhope-Murray.<sup>3</sup>

## (2) NETHER MENZION

There are no references to this property, which the Hays acquired by marriage, until the fifteenth century. Gilbert Hay of "Meynyhene," who may have been a brother of Sir William Hay of Locherworth, was a witness at the Castle of Peebles (Neidpath Castle) in 1435, and to the charter of the lands of Talla in 1439 (p. 411). He acted as bailie for Sir David Hay of Yester, and was still alive in 1531. He was succeeded by his son William, who on 3rd October, 1495, resigned Nether Menzion in the hands of his "cousin" John, first Lord Hay of Yester, from which it appears that the superiority had remained with the main line of the family. Six days later the first Lord Hay granted a charter of the lands under reservation of the liferent of the resigner, and the terce of his wife, Janet Lowis, to his own son William, and failing his heirs to George Hay, William's younger brother. Under this destination George Hay succeeded, and had a charter of Nether Menzion on 21st July, 1512, from his brother John, second Lord Hay of Yester, in which deed it is stated that the lands pertained to George Hay in property and to the granter in superiority, and had been recognosced in the hands of the Crown as a tenandry of the barony of Oliver Castle.<sup>4</sup> The holding was for three suits yearly at the barony of Easter Haprew. George Hay

<sup>1</sup> *R.M.S.* ii. No. 3241; see vol. ii. p. 472.

<sup>2</sup> There was an agreement between Lord Fleming and John Murray for two reversions, each for £129 10s.

<sup>3</sup> *R.M.S.* ix. No. 1611.

<sup>4</sup> Yester Writs.

(better known as Mr. George Hay of Nether Menzion and Monkton) married Eupham Wauchope, and from him the property passed to his son George, who married Janet Betoun and had a son Gilbert, who in 1564 was infeft in Nether Menzion as heir of his grandfather, Mr. George, on a precept of *clare constat* by William, fifth Lord Hay of Yester. Gilbert Hay married Alison Douglas, and had a charter on his own resignation on 24th April, 1592, from James, the seventh lord. The holding was then four pennies Scots. Gilbert's son George died in 1633, and with him the male line failed. Early in the seventeenth century, the date has not been ascertained, Nether Menzion was acquired by Sir David Murray of Stanhope, to whom his son William was served as heir on 28th April, 1654.<sup>1</sup>

### (3) OVER AND NETHER MENZION

Thereafter the whole lands of Menzion remained with the proprietors of Stanhope (p. 445). Nether Menzion and the part of Over Menzion at the head of Menzion burn became known as Menzion; and the remainder of Over Menzion, consisting of the glen of Gameshope burn and the loch became known as Gameshope. Gameshope, together with 88 acres of Menzion lying on the left bank of Talla Water, was sold in 1895 by Sir Graham Graham Montgomery of Stanhope, Baronet, for £16,150 to the Edinburgh and District Water Trustees (now the Corporation of Edinburgh), who effected the purchase in view of the proposed construction of a large reservoir at Talla for the supply of water to Edinburgh.<sup>2</sup> Gameshope burn now flows into this reservoir. Menzion was sold in 1903 by Sir Basil Templer Graham Montgomery to Simon Linton of Oakwood, Selkirk, who died in 1921. His son Simon succeeded, but died the same year, and Menzion is now held by his trustees.

The present rental of Menzion is £624 12s. 6d. Gameshope is now rated along with Talla.

### TALLA

The principal tributaries of the Tweed in the parish are the waters of Cor, Fruid, and Talla. The last named rises above the Talla Linns and joins the Tweed at the village of

<sup>1</sup> Peebles Retours, No. 134.

<sup>2</sup> See vol. i. p. 253.



Tweedsmuir. The lands of Talla were part of the barony of Oliver Castle, and belonged to the Frasers. Whether they passed to the Flemings is a matter of doubt, as no writs have been traced to show that that family were ever proprietors. It seems likely that Talla (along with Nether Menzion, which adjoins it) represented part of the share of the barony which fell to the Hay family on the marriage of Sir Gilbert Hay to Mary Fraser.

The earliest writ traced is a charter dated 12th August, 1439, of the lands of Thalek (Talla) and Kingledoors (p. 464), and an annual rent of  $2\frac{1}{2}$  merks from Wester Happlew, by David of Hay (designed as lord of the barony of "Olivercastel") to his brother Edmund for his homage and service. This charter was granted at Neidpath Castle, called then *Castrum de Peblis*, and was confirmed by King James II on 16th November.<sup>1</sup> But Talla was in Edmund's possession before this grant, for on 12th July, 1439, as Edmund de Haia of Thallow he witnessed a charter by his brother.

Edmund Hay, who also owned one quarter of the lands of Linplum in Haddingtonshire, founded the chapel of St. Edmund the Martyr in the south transept (which he probably built) of Bothans Kirk. He died in 1463 survived by his widow, Annabella Boyd,<sup>2</sup> who on 2nd April, 1467—she was then married to Patrick Dunbar of Biel—gave a tack to the chaplain of St. Bothans of lands granted in alms by her son, Sir William Hay.

Sir William Hay was served heir to his father in 1467. He married Margaret Mowbray, and died in 1478-9 succeeded by his eldest son William. He had also a son Edmund.

William Hay married Margaret, daughter of William Cockburn of Henderland, and died about 1520, survived by four sons :

- (1) William, his heir, of whom presently.
- (2) Mr. Thomas, Dean of Dunbar, Secretary of State, parson of Rathven, and a senator of the College of Justice.
- (3) Mr. George, rector of Rathven (this benefice being given to him by his brother), a senator of the College of Justice, and parson of Eddleston. He was considered one of the most learned men in Scotland in his day. He married Marion Henrison, and from him is said to be descended the family of Hay of Rannes. He died in 1588.<sup>3</sup>
- (4) Mr. Andrew, rector of Renfrew, who is said to have been concerned in the murder of Rizzio. He married Janet Wallace.<sup>4</sup>

<sup>1</sup> R.M.S. ii. No. 210.

<sup>2</sup> She may have been a sister of Robert, first Lord Boyd.

<sup>3</sup> See Dr. Gunn's *Ministry of Presbytery of Peebles*, p. 69.

<sup>4</sup> *Ibid.* His descendants were connected with the Church till the beginning of the nineteenth century.

William Hay of Wyndane and Talla, the eldest son of William Hay and Margaret Cockburn, repaired the altar of St. Edmund at Bothans in 1531.<sup>1</sup> He married Janet Spottiswoode, and in 1540 gave to his son Nicholas the lands of "Apletreesyde," in the barony of Lyne, and in the following year to his son Andrew a quarter of Craig Kingledoors, reserving in both cases his liferent, and the terce of his wife. About the same time he resigned in the hands of his superior, John, Lord Hay of Yester, one third of Talla and other lands, in favour of his eldest son John and his wife. He had a fourth son, William, who married Margaret Hay, and had the lands of Wyndane, Baro and others; they had a son, Mr. William Hay of Baro, advocate, who was Commissary of Glasgow and father of Sir John Hay of Baro and Lands, sometime town clerk of Edinburgh, and afterwards Clerk Register of Scotland.

William Hay died in 1566, and was buried in St. Edmund's aisle, Bothans. He was succeeded by his eldest son John, who was served as heir on 13th November, 1566. On 27th February, 1569-70, he had a precept of *clare constat* from William, fifth Lord Hay of Yester, for his infeftment in one half of Wyndane as heir to his father, and in November, 1572, he was infeft in the same capacity at the "Crukburn" in a quarter of Craig Kingledoors. On 31st January, 1578-80, he resigned Talla absolutely to Lord Hay of Yester, on condition that the lands of Linplum were secured to him. He died about 1585, and was twice married—to Jean (daughter of Patrick Hepburn of Bolton, Master of Hailes), who died in 1575; and to Janet Hathowie. By the first marriage he had three sons, John, William and Andrew.

John, the eldest son, "chief servant" of the Duke of Orkney, his second cousin, was one of the chief actors in the murder of Darnley (1567) and suffered death for that crime in 1568. Professor Veitch's poem assumes that he was born and brought up in the wild border glen of Talla,<sup>2</sup> but it is more probable that he was brought up in Haddingtonshire, at Linplum or Hugston. The poem also refers to him as "Young Hay of Talla." That is a mistake, for his father being alive he was not "of Talla," but "younger of Talla," a designation still used to distinguish the son and heir of a landed proprietor. William Hay, the second son, succeeded his father and was infeft in Linplum in 1585, and in Craig Kingledoors in 1595. He married Helen Cockburn.

Talla, by the resignation of John Hay in 1578-80, became the property of the Hays of Yester, and it remained

<sup>1</sup> A papal dispensation in connection with this is preserved at Yester. It is an illuminated parchment and has "two shields, one with the paternal arms of Hay differenced with a star in the fess point for William Hay of Talla, and the other with the arms of Cockburn of Henderland for his wife, Margaret Cockburn" (Yester Writs).

<sup>2</sup> The lands were of sufficient importance to have a "tower," which is marked on Blaeu's map. It stood on the right bank of the burn.

a part of the Neidpath estate<sup>1</sup> until 1897, when it was sold by the trustees of the Earl of Wemyss and March for £20,425 to the Edinburgh and District Water Trustees (now the Corporation of Edinburgh). This sale included 60 acres of Hearthstane lying on the right bank of Talla Water. A large reservoir was constructed, which now supplies water to Edinburgh.

The present rental of Talla and Gameshope is £540 10s.

#### HEARTHSTANE

This large sheep farm lies between Polmood (parish of Drumelzier) and Talla, and includes the burns and glens of Hearthstane or Harestanes, and Glenriska. It was also part of the barony of Oliver Castle, but the name<sup>2</sup> does not appear in the titles, the probability being that it was included in early times as part of the lands of Glenriska and Cockieland or in the general description of the lands of Oliver Castle. At the head of the Hearthstane glen is Broad Law (2,754 feet), the highest hill in the south of Scotland with the exception of Merrick (2,764) in Ayrshire. The summit, as the name implies, is broad and flat, and would admit, says Armstrong, "of a circuit horse race of two miles, without the smallest inequality of surface." No one is likely to test this statement.

The Frasers held Hearthstane and the Hays and Flemings each held part of it. In 1470 Robert, first Lord Fleming, in exchange for the lands of Biggar and the patronage of the church there, granted to Sir David Hay of Yester the lands of "Olivercastel," one half of the lands of Over Kingledoors, together with the superiority of the tenandry lands of Fruid (p. 403), Polmood (p. 452), Coqueland (Cockieland) and Glencotho (p. 309), under reservation of "one messuage" of the Oliver Castle lands.<sup>3</sup> What was included under the expression "lands of Olivercastel" it is not possible now to say.

<sup>1</sup> See vol. ii. p. 291. In 1661 Anna, Countess of Buccleuch, was served heiress of entail in the lands of "Tala" in the barony of "Olivercastell" (Retours, No. 147). This was probably a security title, and may point to the Buccleuchs having a wadset over the lands.

<sup>2</sup> It occurs in 1513 and onwards, but not in writs affecting transmission of the property.

<sup>3</sup> *R.M.S.*, ii. No. 995.

The Hays and the Flemings both claimed to be lords of the barony, and Sir David Hay of Yester so designed himself in 1439 when he granted Talla to his brother Edmund (p. 411).

Of the lands specified in this grant of 1470, Cockieland (on the right bank of Talla) is the only one which is part of Hearthstane as we now know it. It was a six merk land. In 1533 John Fraser (Fresal) was infeft therein on a precept from John, third Lord Hay of Yester, as grandson and heir of Margaret Cokyland of that ilk. On 24th July, 1550, John, fourth Lord Hay of Yester, granted a precept for infefting Herbert Johnstone of Poldean in the lands, and four days later Thomas Fresal, as bailie for John Fresal of Cokeland, gave sasine therein to Mr. George Gledstanes, senator of the College of Justice. The Hays of Yester were in right of the superiority from 1470, and later acquired the lands themselves, but the transaction has not been traced.

By a Crown charter dated 3rd February, 1511-12, King James IV. confirmed to John, second Lord Hay of Yester, the lands and barony of Oliver Castle, which had belonged to his father, John, the first Lord; also the half of the lands of Glenriska (Glenrusco) within the barony, which it was stated had belonged to John, Lord Fleming, in superiority and to John Murray of Falahill in property.<sup>1</sup> Glenriska is another part of Hearthstane, and has already been referred to in connection with the lands of Over Menzion (p. 408). The reason why it was conveyed to Lord Hay was because Lord Fleming had forfeited it under the feudal casualty of recognition (p. 408), having alienated the greater part without the consent of the King, his superior. By this transaction the Hays acquired one half of Glenriska, and the other half they already had, indicating that this property, like Menzion, had apparently been divided between the two families after the death of Sir Simon Fraser. This other half was on 27th January, 1501-2, granted by John, first Lord Hay, to Gavin Veitch on the resignation of his father, William Veitch of Kingside, who had bought the lands from Sir David Hay, Lord Hay's father, for £40. Gavin was succeeded by his son William in 1532, and the property was still with that family in 1557. But it was re-acquired by the Hays prior to 1586, in which year Glenriska and Hearthstane were said to be tenanted by James Geddes of Glenhigton.

It may therefore be said that Hearthstane (including Cockieland and Glenriska) became a possession of the Hays, both property and superiority, in the sixteenth century, and it has since remained part of the Neidpath estate<sup>2</sup> with the exception of 60 acres sold in 1897 to the Edinburgh and District Water Trustees (p. 413). During the eighteenth and a considerable part of the nineteenth century Hearthstane was occupied by a branch of the Tweedie family.

<sup>1</sup> *R.M.S.*, ii. No. 3,692.

<sup>2</sup> See vol. ii. p. 291.



In the famous litigation about Polmood (p. 457) Margaret Tweedie, "the guid wife of Herstanes," is referred to as the niece of Robert Hunter, the owner of the wonderful dog Algiers, and when Robert grew old she took care of him till his death.

The present rental is £671 6s. 6d.

## CHAPTER VII

### THE PARISH OF DRUMELZIER

#### I

THE parish of Drumelzier consists of a long narrow strip of territory lying for the most part along the east bank of the upper Tweed, but taking a sharp turn across the river at the south end where it includes the lands and glen of Kingledoors. It is thus roughly in the shape of a boot, of which Kingledoors forms the toe, Polmood the heel, and the three estates of Stanhope, Drumelzier, and Dawyck, the leg. From the top of the leg, or the Stobo boundary, in the north to the point of the toe, or Tweedsmuir boundary, in the south is roughly twelve miles, while the average width is about three miles. The area was given by Armstrong (1775) as 23,750 acres, but the correct measurement now is 17,970 acres. Considerable though this area is, the bulk of it is taken up with hills and ridges dividing the parish from Manor and Megget on the east and from Lanarkshire on the west, the result being that the only part suitable for cultivation and habitation lies along the riverside, where at the north end there is a wide and fertile haugh.

There are two suggested derivations of the name. One, that it is from the Gaelic *Druim-(s)hoeller*, meaning the bright or glancing ridge. Anyone who has seen the cold mid-winter sun steal down the glen and along the ridge, which, with the village as its base, is flung right out into the midst of the main valley, to where the church hangs steeply over the Powsail burn and looks down the more gradual slope to Tweed, will appreciate the appropriateness of this derivation. On the other hand, the fact that all the earliest documents relating to the parish show the spelling of the name with two m's is against it. The other theory, suggested by Professor Veitch, is that the name

is a development of *Drum Meldred*, or the ridge of Meldred, who was supposed to be a princeling of the district, and therefore the earliest owner of the lands whose name has been handed down. This interpretation of the name is built upon the traditional account of the death of Merlin at the hands of certain shepherds of Meldred.

There seems to be no reason to question the existence of a historical character Merlin, but the facts of his life are confused by the accretions of later myths and romances associated with his name. Professor Veitch distinguishes two persons of that name, one living in the middle of the fifth century, the other in the latter half of the sixth century and even surviving into the seventh. This latter person, known as Merlin Caledonius, or Merlin the Wild, is the one associated with Tweeddale, and is to be distinguished from that Merlin whom tradition associates with the Arthurian legends.

Merlin Caledonius was a friend of Gwendollen, the leader of the Cymri in the fatal battle of Ardderyd in the forest of Caledon in 573, in which battle Gwendollen was slain, as was also a nephew of Merlin, the son of his sister Gwendydd. To quote the words of Professor Veitch :

“ After this disastrous battle and the loss of his friend . . . Merlin fled to the upper district of the Tweed (*i.e.* to the hills above Drumelzier) . . . and passed the remainder of his life, reputed insane, among the glens of the broad hills. . . . There is no wilder or more solitary mountain land in the south of Scotland than these high-spreading moors : there is no scene which could be more fitly assigned to a heart-broken and despairing representative of the old Druidic nature worship, at once poet and priest of the fading faith, yet torn and distracted by secret doubts as to its truth and not knowing well where his beloved dead had gone, or what was their fate in that mysterious spirit-world he felt was above and around him.”<sup>1</sup>

So much appears to be pretty sound historical ground. We begin to pass more into the borderland of tradition and romance when we come to the account of the meeting of Merlin and Kentigern in the wild uplands overhanging the Powsail burn. According to this account, the Tweeddale apostle of Christianity was one day suddenly confronted by a weird, wild creature, unearthly to behold, and, boldly challenging the terrible figure, he received the reply, “ Once was I the prophet of Vortigern (Gwendollen), Merlin by name, now in this solitude enduring privations.” The legend goes on to tell of the success of Kentigern in winning the pagan seer to Christianity, followed by the tragic death of Merlin at the hands of the shepherds of Meldred. The site of his death and burial is indicated by tradition on the banks of Tweed where it is joined by the Powsail burn, and is marked by a very old thorn tree.<sup>2</sup>

<sup>1</sup> *History and Poetry of Scottish Border.*

<sup>2</sup> *Origines*, i. p. 205 : Renwick, *Historical Notes*, pp. 98 and 295.

Such are the more credible historical facts and traditions regarding Merlin which associate him with this parish. The legends and romances of his wizardry are innumerable, and many of them quite evidently created by transferring to Merlin Caledonius tales which really belong to the earlier Arthurian Merlin. There is a well-known prophecy associated with Merlin of Drumelzier, which is embodied in the familiar couplet :

“ When Tweed and Powsail meet at Merlin’s grave,  
England and Scotland shall one monarch have.”

This was, it is said, fulfilled on the very day on which King James VI. ascended the English throne by a flood of unprecedented magnitude, whereby the Tweed so far overflowed its banks that it joined the Powsail burn at the grave of Merlin.

One can still discern evidences of prehistoric habitation in the parish. On Tinnies and on Henry’s Brae are the outlines of very early earthwork fortifications. The former is a position of extraordinary natural defensive strength in the conditions of primitive warfare. It is a precipitous knoll rising some 200 feet above the haugh, and situated close up under the shadow of the equally precipitous Scawd Law, which towers hundreds of feet above it and is separated from it by a narrow bare ravine. No artificial defences appear or were needed on this side. On the haugh side is the roadway up, forming the lower line of defence and having entrances on the north and south corners. The north-east and south-west faces are defended by three earth ramparts at convenient distances apart, and with level places behind them for the defenders. Henry’s Brae, immediately to the south-west of Tinnies, rises higher but more gradually, the summit being a large parallelogram round which may be still seen the debris of a wall enclosing it.

Between these two knolls a good spring rises, dividing almost immediately, one portion passing right under Tinnies and emerging on the other side. This, doubtless, served as a safe and valuable supply to the old castle. At the present day, when it emerges from Tinnies it enters a reservoir which supplies the Haugh farmhouse and cottages. The other branch runs down between the two knolls, and is now used as a water supply for some of the houses in the



village. In feudal times a castle was built on the summit of Tinnies, and was a stronghold of the Tweedies.<sup>1</sup>

Below Wester Dawyck the earthworks of Dawyck fort are still quite clearly defined, though they have been partly destroyed by the plough. The remains are now protected by planting. On the edge of a little ravine near the "Deid Wife" hill road (p. 472) to Manor may also be traced the remains of the Lour fort. The same site appears to have been occupied later by a feudal tower. The curved lines of the ancient earthworks are clearly traceable, and in the centre are remains of stone-work. A further evidence of prehistoric habitation is indicated by the discovery of kists in the lower part of Dawyck deer park.

The general history of the parish will appear in the account given of the families and the lands. Until the year 1643 the parish included Tweedsmuir, or Upper Drumelzier as it was then called. To Lower Drumelzier, or Drumelzier proper, was added in 1742 the western portion of Dawyck. There were two early chapels within the district. One, which after the Reformation became the parish church, stood with its cemetery close by Merlin's grave, and beside it is the village of Drumelzier. By whom this chapel was originally founded there is no record to show; probably it owed its origin to the lords of the manor. The other chapel stood by the side of Kingledoors burn (p. 462). There may also have been an ecclesiastical building at Hopcarton.

During the nineteenth century Drumelzier, like all rural parishes in Scotland, has seen a very great change in the conditions of life by the amalgamation of small farms into large ones; the rise in wages and improvement of the standard of living; the migration of the population; the freer intercourse both within the parish and with other districts with the advent of the bicycle and the motor-car. The principal farm, now known as Drumelzier Haugh, formerly consisted of three farms.<sup>2</sup> The nucleus of the

<sup>1</sup> See vol. i. p. 231 and p. 425, *postea*.

<sup>2</sup> In 1793 the haugh itself was divided into sixteen parks let at about £1 per acre (first *Statistical Account*).

present farm was then known as Thanes Mains, and there were two small crofts called the Barnyard and the Ward, which are now represented by a ploughman's and a shepherd's cottage, belonging to the Haugh.

During the latter half of the nineteenth century no less than thirteen cottages have disappeared from the village, the stones being mostly used for improving the dykes. The different standard of wages seems to us now almost ludicrous. According to the first *Statistical Account*, at the end of the eighteenth century servants' wages were regarded as high, the figures quoted being : for a man-servant, £6 per year ; and for a maid-servant, £2 for the summer half-year and 25s. for the winter. According to the same authority there were then in Drumelzier seven weavers, four tailors and apprentices, two masons and two smiths. All these trades have now entirely disappeared, and rural trades are represented in the parish by one joiner.

The population has steadily decreased. In 1755 it was 305 ; in 1790, 270. In 1831 it was 223 ; in 1861, 209 ; in 1891, 187 ; and at the last census of 1921 it was 186. The valuation of the parish was £4668 in 1815, £3477 in 1863, and is now (1926) £6326 15s. 10d., in which £2852 is included for the water pipes from Talla Reservoir.

Electric light has been introduced into the mansionhouse of Dawyck and into the farmhouse, buildings and cottages of Stanhope by harnessing the water power of the burns, the fall and flow of which are adequate for the purpose. And the last amenity of the social life of the community was added in 1923, when an army hut was erected in the village and opened as a recreation hall.

There are five estates in the parish : Drumelzier (which includes Hopcarton), Dawyck, Stanhope, Polmood, Kingledoors. Of these an account will be given, and of the families connected with them.

## II

## DRUMELZIER

The lands which bore the name of the parish extended along the right side of the river Tweed, between the lands of Dawyck on the east and north, Posso on the east, Stanhope on the south, and Mossfennan and Rachan on the west. Included in the estate is the valley of Drumelzier or Powsail burn, one of the loveliest streams in the Borders. The lands on the west of the burn were rated at £40 of old extent, and there the principal residence, Drumelzier Castle, stood by the banks of the Tweed; the lands on the east side of the burn were rated at £10, and included the fortalice of Tinnies. Of this stronghold, practically nothing is left, but it was not blown up in 1592 by the orders of the King, as William Chambers states; it was Tinnies in Selkirkshire which suffered that fate. The ruins of Drumelzier Castle are still considerable, although a great part of the fabric must have been used to build the farmhouse and steading of Drumelzier Place.

The earliest reference to Drumelzier is in the document called the *Devise de Stobo* (circa 1200), where *Gylis filius Buht apud Dunmedler* appears as a witness. He was probably only a dweller on the lands. The earliest known proprietors were the Frasers, and from them the lands passed in the beginning of the fourteenth century to the Tweedies.

The Tweedies were one of the most notable families in Peeblesshire during the reigns of the Scottish kings. Branches were to be found in almost every parish, and frequent references appear to them in this history. But the main line of the family became settled in Drumelzier, and of that it is proposed to give some account.

It has been said that there were Tweedies in Peeblesshire during the reigns of the Kings Alexander II. and III., but there is no authentic record of them, and it is not likely that the family were in the county before the early years of the fourteenth century. It is a natural inference that there is a connection between the family name and the River Tweed, and there is an attractive tradition to explain that connection.<sup>1</sup> But unfortunately—for it is never a pleasant duty to discredit old tales—the name Tweedie has nothing whatever to do with the Tweed, but is derived from the place Twedyn or Tweedie in the parish of Stonehouse, Lanarkshire, which belonged at the time

<sup>1</sup> See p. 352, *ante*, and *Tweedie Family*, p. 1.

of the War of Independence to Finlay de Twedyn, and he is the ancestor of the Tweedies of Drumelzier.

FINLAY DE TWEDYN swore fealty to King Edward I. in 1296, and he was then designated *del Comte de Lanarke*. He had a son Roger.

#### TWEEDIE OF DRUMELZIER



ARMS.—Argent, a saltire engrailed Gules, a chief Azure.

CREST.—A Bull's head Sable.

MOTTO.—“Thol and think.”

ROGER, SON OF FINLAY, came to Peeblesshire and settled down at Drumelzier, which then belonged to Sir William Fraser, no doubt a kinsman of the famous Sir Simon Fraser of Oliver and Neidpath Castle (p. 378). Sir William, between 1300 and 1320, granted to Bernard, called Sutor, a house in Drumelzier and an acre of the “Potmedn” which William, son of Utting, formerly held.<sup>1</sup> Bernard's son Roland made over this property soon afterwards to Roger, son of Finlay, to be held for the annual payment of a pair of gilt spurs. And about the same time, Sir William Fraser granted to Roger a charter of his land on the east side of the Water of Cossalays,<sup>2</sup> with the mills and the pasturage of the whole barony of Drumelzier, together with the service of the tenant, John Fraser. There was also another charter of the same land (confirmed by King Robert the Bruce at Glasgow on 12th June, 1324), but specifying in addition other subjects—the cottage occupied by Courtenanus, and two acres of arable land held by Richard the weaver, of which one was on the north side of the church, near “Catillauarau,”<sup>2</sup> and the other in Matthew's croft,

<sup>1</sup> *Duns Castle Report*. The grant contains some curious stipulations about the terms of holding and pasturage. Sir William Fraser's seal is appended, and his mother Eda is a witness.

<sup>2</sup> These names have disappeared. Cossalays may be an early name for Powsail or Drumelzier burn.



along with the weaver's house and garden.<sup>1</sup> The reason for these grants to Roger may have been his marriage to Sir William Fraser's daughter, but there is no evidence for this, although it is said he quartered the Fraser arms on his shield. In addition to Drumelzier, he acquired other lands in the county—Glenbreck in Tweedsmuir (p. 386), and Wester Hopkailzie in the parish of Traquair. (Vol. ii. p. 545.)

WILLIAM TWEEDIE, a son of Roger, is referred to as baron of Drumelzier in 1331.<sup>2</sup>

The next proprietor on record is JAMES OF TWEEDIE, perhaps a son of William, or at least a grandson of Roger. Among the Drumelzier writs preserved at Duns Castle are two charters in his favour, one dated 8th December, 1355, by Robert, the Steward of Scotland, as King's Lieutenant, confirming to him all his heritable possession within the Kingdom because he had been received to the faith and peace of the King by William, Lord of Douglas, as Warden of the Eastern Marches—this shows that Tweedie must have been in trouble of some sort—and the second charter, which is by King David II. on 4th July, 1358, confirms the first.<sup>3</sup> He was also the proprietor of part of Hopkailzie, and there is a confirmation by David II. in 1362-3 of a mortification by Margaret of Monfode, the widow of Alexander of Cockburn of Skirling, of nine merks sterling due to her by Tweedie from Hopkailzie for a chaplainry in Dalmeny.<sup>4</sup> On 8th February, 1389-90, he is mentioned in a document dealing with Hartree estate in the parish of Kilbucho.<sup>5</sup>

The next proprietor whom it has been possible to trace is WALTER TWEEDIE, who may have been a grandson of James, but it is impossible to say definitely as there is a gap in the charter records for about seventy years. He granted, on 19th March, 1426, to his kinsman Thomas Fraser of Fruid (p. 404), for his counsel and good deeds, an annual rent of 44s. from the lands of Drumelzier, to which deed his son and heir, James Tweedie, was a witness. At the close of the same year, Fraser resigned to Walter Tweedie for ever all his lands in Drumelzier. Walter was still alive on 19th July, 1435, when he witnessed a charter at the Castle of Peebles (Neidpath).<sup>6</sup> It is said that he married a daughter of Sir James Douglas and his first wife, Agnes Dunbar.<sup>7</sup> He was succeeded by his son James.

JAMES TWEEDIE married about 1422, by papal dispensation, Katherine of Caverhill, in the parish of Manor, this dispensation being doubtless required owing to the degree of kinship between the two. He was appointed on 27th February, 1436-7, by Sir James Douglas, Lord of Dalkeith, as his bailie for infefting Richard Brown in Hartree.<sup>8</sup> This Richard Brown married Elizabeth of Tweedie, and she is called

<sup>1</sup> *Duns Castle Report.*

<sup>3</sup> *Duns Castle Report.*

<sup>5</sup> Reg. Morton.

<sup>7</sup> Douglas, *Peerage.*

<sup>2</sup> Robertson's *Index.*

<sup>4</sup> *R.M.S.*

<sup>6</sup> Yester Writs.

<sup>8</sup> Hartree Charters.

“ neptem ” of Sir James Douglas, which means either niece or granddaughter. Probably she was James Tweedie’s sister, and the presumption is that Walter, their father, had married a sister of Sir James Douglas.<sup>1</sup> On 8th March, 1455-6, James Tweedie received a letter of maintenance from King James IV., who promised to defend him in all his lawful actions as one of his own familiars, and in return Tweedie promised faithful and lifelong service, and to keep his house of Drumelzier always ready at the King’s disposal. In 1473 he resigned to the burgh of Peebles his share of the patronage of St. John’s altar in the parish church of Peebles. James Tweedie, so far as known, had two sons, Walter, who succeeded, and Patrick, who is referred to as a witness at Hartree in 1466.

WALTER TWEEDIE was served heir to his father in Drumelzier, Hopkailzie and other lands on 4th June, 1475. His wife was Christian Dickson, one of the daughters and heiresses of John Dickson of Smithfield, and she brought with her the lands of Deanshouses (p. 67), in the parish of Newlands. The eldest son of this marriage, James, was married before his father succeeded to Drumelzier, to Margaret Gifford; and to them James Tweedie, Walter’s father, granted in 1473 the east half of Hopkailzie.<sup>2</sup> Walter Tweedie in 1478 was ordered to restore “ to maister Adam of Cokburne of Skraling, a futit cop of silver with a covertour of the samyn, double gilt ”; Adam at the same time being required to repay 20 merks, in security of which the silver cup had been pledged.<sup>3</sup> In his time the division and boundaries of Easter and Wester Kailzie were settled.<sup>4</sup> Halmyre, in Newlands, was also a possession of his (p. 29). He died prior to November, 1483, leaving a family of three sons: James, who succeeded; William and Walter, both of Halmyre; and a daughter, Elizabeth, who married Robert Scott of Whitchester, and received her mother’s lands of Deanshouses.

JAMES TWEEDIE was served heir to his father on 29th November, 1483, on a precept from Chancery, but did not long enjoy the estates. He married Margaret Gifford, and had two sons. The younger, James, who was father of James Tweedie of Fruid, had a grant from his father of the lands of Hornhuntersland, Innerleithen. (Vol. ii. p. 414.)

JOHN TWEEDIE, the elder son, was served heir to his father James on 3rd June, 1490, and he was laird for between forty and fifty years. He quarrelled with his brother about Hornhuntersland, and was ordered to restore the “ herezeld ox ” he had taken from these lands.<sup>5</sup> The family was now powerful in Peeblesshire, and they had a formidable band of retainers. They controlled with ease the whole of the

<sup>1</sup> As he was the son of Sir James Douglas and Agnes Dunbar, this serves to corroborate the statement by Douglas in his *Peerage*.

<sup>2</sup> *R.M.S.*

<sup>3</sup> *Acta Auditorum*, p. 65.

<sup>4</sup> Vol. ii. p. 547.

<sup>5</sup> *Acta Dom. Con.* p. 272. “ Herezeld ” was the fine, usually consisting of the best ox or horse, which a superior could claim on the death of a vassal.

upper Tweed valley, for opposite Drumelzier on the other side of the Tweed lay Dreva, which belonged to another branch of the family. The lands of Dreva from their position overlooked the valley of Biggar Water and the west country, and on them was a strong tower which looked right across the Tweed valley to the Castle of Tinnies,<sup>1</sup> built on the Drumelzier lands in a curiously strong position. Drumelzier Castle<sup>2</sup> itself lay further up in the neck of the valley and by the side of the river. With power came ambition, and a masterful spirit. They would not readily brook interference with their designs, and inevitably they came into collision with their powerful neighbours. From this time onwards, the name of Tweedie became associated with deeds of violence and bloodshed.

In 1498 John Tweedie and five others were each fined five merks at Peebles for ejecting Oswald Porteous and his wife Janet from their holding in Upper Kingledors. Edward Hunter of Polmood was murdered by Gilbert Tweedie; and John Tweedie, with his uncles Walter and William of Halmyre, became sureties in 1502 for Gilbert's appearance at Peebles.

In 1524 the power and ambition of the Tweedies came into violent and bloody conflict with the designs of the noble house of Fleming. This dispute centred round a lady, Katherine Fraser, the heiress of Fruid, and particulars have already been given (p. 404) of her share in the events which befell. Here a short and general account may be given of the facts as far as they are known to us.

John, second Lord Fleming, claimed the superiority of Fruid and the ward and marriage of Katherine Fraser, who not only held Fruid, but also Mossfennan and lands in Glenholm. His design was that she should marry his son Malcolm,<sup>3</sup> and it has been said that this marriage actually took place. But that is unlikely. John Tweedie of Drumelzier cherished the same design for his nephew James, and this was quite natural, for the two families were friendly, and in 1521 Elizabeth Douglas, the widow of William Fraser, Katherine's grandfather, had disposed to Tweedie the rents of Fruid and Mossfennan during the nonage of her bairns. On 1st November, 1524, Lord Fleming, with his eldest son and heir Malcolm, and a small retinue, was hawking in Glenholm, about two or three miles from Drumelzier. There he was met or waylaid by John Tweedie and his relatives and friends to the number of about fifty. Words passed and then blows, and Lord Fleming was killed, and Malcolm, his eldest son, was captured. This Malcolm obtained his liberty by consenting to the

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<sup>1</sup> Vol. i. p. 231. Cymric *dinas*, a fort. "All sorts of passengers that had occasion to travel that way were obliged to strike sail, salute and pay homage to that haughty Baron, or else to return from whence they came, not without some marks of disgrace." Pennecuik, p. 253.

<sup>2</sup> Vol. i. p. 233.

<sup>3</sup> Not his eldest son Malcolm, afterwards third Lord Fleming, but another Malcolm who became Prior of Whithorn.

marriage of Katherine with James Tweedie; and his brother Malcolm, along with Robert Stewart, younger of Minto, and William Fleming of Boghall, were imprisoned in the "Place of Drumelzier"<sup>1</sup> as pledges for the fulfilment of the contract. Katherine, with the writs of her lands, was handed over, and she was promptly married to James Tweedie. Then the law came into operation, and the Tweedies attempted to pacify the angry Flemings. At first they were so far successful that an "assythment" was arranged on 23rd November, under which the Laird of Drumelzier and his accomplices went to the Cross of Peebles in their shirts—"sark alane"—offered their naked swords to Lord Fleming and his kin, and bound themselves to be his servants. But that was not an end of the matter. The Privy Council took it up, and Tweedie was ordained to found a chaplainry in the church of Biggar, with a yearly stipend of £40 from his lands, for prayers for the soul of the dead Lord Fleming. James Tweedie, the heir, and other persons guilty of the slaughter, were banished for three years. But still the feud went on. On 8th August, 1525, Malcolm, Lord Fleming, apprised for 8000 merks the greater part of Tweedie's lands: (1) Easter Drumelzier, with the Place of Tinnies, Hopkailzie, half of Halmyre, and Deanshouses, extending in whole to 210 merks of yearly value; (2) Wester Drumelzier with its Place, extending to £40 yearly, which belonged to Tweedie's son James; and (3) Glenbreck and Glenumford in Peeblesshire, and Clifton in Roxburghshire, extending to 100 merks yearly.<sup>2</sup> Notwithstanding this, John Tweedie did not give up his home, and on 27th September, 1526, Lord Fleming obtained a decree of delivery of the lands and fortalice of Drumelzier. On 6th June of the following year a respite for the crime for nineteen years was granted to Tweedie and thirteen others, and a settlement was finally reached in 1531, when Katherine, the Lady of Fruid, handed over to Lord Fleming all her possessions in the county, with the exception of Fruid itself, and the processes and appraisings against the Tweedies were then withdrawn.

John Tweedie died prior to 1536; the name of his wife is not known. He was succeeded by his son James.

JAMES TWEEDIE shared with his father the discomforts of the Fleming episode. In 1505 he had a Crown charter of the half of the barony of Clifton in Roxburghshire. On his marriage in 1511 to Elizabeth Hay, daughter of John, second Lord Hay of Yester, his father gave him his lands of the west town of Drumelzier between "Metsyllopburn"<sup>3</sup> on the east, and Hopcarton burn on the west, with its mansion and mill, and six acres of meadowland in East Drumelzier.<sup>4</sup> On 7th April, 1532, he had a precept from Chancery,

<sup>1</sup> This would be an earlier building than the present Drumelzier Castle, but perhaps on the same site.

<sup>2</sup> R.M.S. iii. No. 334.

<sup>3</sup> This is perhaps another name for Powsail or Drumelzier burn.

<sup>4</sup> *Yester Papers*.



on his own resignation, for his infestment in Drumelzier, Hopkailzie, and other lands.<sup>1</sup> He was complained against to the Privy Council in 1545 by Malcolm, Lord Fleming, for slander, but no proceedings appear to have followed. But he was at the horn the following year for crimes which are not specified, and in 1548 he was accused of treason and *lèse-majesté* before the Council, the details being given "at mair lenth" in the summons, but the summons itself is not forthcoming. By his first wife, Elizabeth Hay, he had at least three sons, John, William, and Patrick, and a daughter Marion. He had a second wife, Marion Stewart, a sister of William Stewart of Traquair, and in 1540 he resigned to himself and her the lands lying on the west side of Drumelzier burn, and this was followed by a Crown charter on 5th June of that year. Another Crown charter was granted to him on 26th February, 1541-2, of the lands on the east side of the burn.<sup>2</sup> By Marion Stuart, James Tweedie had a son John.

James Tweedie died in 1556, predeceased in 1551 by his eldest son John, who was called of Hopkailzie. This son married about 1533 Agnes Somerville, daughter of Hugh, Lord Somerville, and received at the time from his father the £10 lands of Hopkailzie. Of the marriage there were three sons, James, William, and John, and a daughter, Helen, who married in 1551 Adam Scott of Oakwood. Agnes Somerville afterwards married William Murray of Romanno (p. 14).

JAMES TWEEDIE, the eldest son of John, succeeded his grandfather, and was infest as his heir in Hornhuntersland in 1556. To his promised wife, Beatrix McMath, he granted a liferent of the half of that property, his brother John being a witness.<sup>3</sup> There is no evidence that he married Beatrix McMath, but he did marry Janet Douglas, daughter of Sir James Douglas of Drumlanrig, and to her he conveyed in liferent the £10 land of old extent lying on the east side of Drumelzier burn. This was followed by a Crown charter on 8th November, 1557.<sup>4</sup> He had some litigation with his mother, particularly in reference to her terce from certain lands. He was concerned in the murder, in 1559, of William Geddes, the son and heir of Charles Geddes of Rachan (p. 282), for which, along with his kinsmen the Tweedies of Fruid, and a certain Thomas Tweedie, *alias* Long Tom, he obtained a respite under the Privy Seal for nineteen years. This was the beginning of a feud which continued for many years. James Tweedie died, without leaving lawful issue, in 1561, succeeded by his brother William. His widow, Janet Douglas, renounced her rights in 1562, and later married William Ker, younger of Cessford.

WILLIAM TWEEDIE was served as his brother's heir in 1561 in Drumelzier, Halmyre, and Hornhuntersland.<sup>5</sup> He married in the following year Katherine Betoun, and with her consent wadset Wester

<sup>1</sup> *Duns Castle Report.*

<sup>2</sup> *R.M.S.* iii. No. 2606.

<sup>3</sup> Peebles Protocols.

<sup>4</sup> *R.M.S.* iv. No. 1220.

<sup>5</sup> *Ibid.*

Deanshouses to his uncle, John Tweedie. He was present on 23rd June, 1563, at Neidpath Castle when an old chest or almery (about which there was some dispute) was opened before a notary, but it was found to contain only

“ane posset cop with ane fute of the selfe of esche, ane littill bikker callit ane salt fat with ane fute of esche, ane lame can and thre paperis of umquhill Archibald, Erle of Angus, and na utheris thingis.”

Along with Adam Tweedie of Dreva, notorious for his bad temper, he was implicated in the murder of Rizzio in 1566, and denounced as a rebel. But he was loyal to Queen Mary, and his name appears in 1568 as one of the signatories to the Bond of Association for her defence. He died in August, 1571, leaving, so far as known, four sons, James, John, Robert and Walter. As the eldest son was a minor, he was left under the care of his uncle, John Tweedie, who then became the Tutor of Drumelzier.

JOHN TWEEDIE was tutor for about a dozen years, and during his time several annual rents from the lands of Drumelzier were paid off. The feud with the Geddes family was still going on, and both sides had to provide sureties in 1574 for their good behaviour. In 1579 he sued Sir Alexander Jardine of Apilgirth before the Privy Council, charging him with forcible possession of his lands, and the latter was in consequence put to the horn. John Tweedie was killed by the Veitches in Edinburgh in 1590, as we shall see.

JAMES TWEEDIE OF DRUMELZIER, although still a minor in 1582, was nevertheless allowed by special dispensation from King James VI. (dated 2nd July) to enter into possession of his heritage. He was infeft in 1586. His ward and marriage had been acquired by James, Earl of Morton, who interested himself in the young man. He was served heir to his grandfather, John, in Wester Kailzie, on 6th March, 1589, and in the same year he took sasine in Drumelzier and Hornhuntersland. In 1594 he wadset Wester Deanshouses to his cousin, James Tweedie; next year he had a wadset of Oliver Castle and other lands from James, Lord Hay of Yester, for 1400 merks.

This laird was a man of strife, and his name appears frequently in the Register of the Privy Council. In 1584, along with other Tweedies, and his retainers John Crichton of Quarter and Alexander Porteous of Glenkirk, he was accused of treasonable and capital crimes of which no particulars are given, and ordered to be confined in the Tolbooth of Edinburgh. The same year he was in prison in Linlithgow, along with his kinsman Adam Tweedie of Dreva, and Alexander Porteous of Glenkirk. He quarrelled with the Tweedies of Fruid, and in 1585 had to find a surety that James Tweedie of Fruid and his tenants would be “skaythlis in their bodies, gudes and geir.” Then he had a dispute with the Scotts of Branhholm, in connection with which the King held a Privy Council at Neidpath on 8th November, 1587, but the settlement made only lasted for a time. Two years later came a

quarrel with the Naesmyths of Posso in connection with a house at Stirkfield, which had been "douncast" apparently by William Tweedie, the eldest son of John Tweedie (the tutor), who owned the adjoining property of Nether Stirkfield. There must have been a considerable disturbance over this incident, as sureties were required from both sides under penalty of 5000 merks, a considerable sum in these days.

The following year (1590) there was a more serious incident. Between the Tweedies of Drumelzier and their neighbours the Veitchs of Dawyck there was bitter enmity, the origin of which we do not now know. Patrick Veitch, son of William Veitch of Dawyck, was in Peebles on business on 16th June, 1590, and there he was "perceived" by James Tweedie of Drumelzier, his brother John, his uncle John (the tutor), Adam Tweedie of Dreva, William Tweedie of Wrae, and others of his following. They lay in wait for Veitch on the road near Neidpath Castle, and there they slew him on his way home "with swordis and pistolettes cruellie and unmercifullie." A month later the Veitchs retaliated, and the victim was John Tweedie (the tutor), who was killed as he walked in the streets of Edinburgh by John Veitch, younger of North Sinton, and Andrew Veitch, brother of the laird of Courhope. The Privy Council was rather ineffective at the time, and beyond exacting the usual sureties did nothing to bring the murderers to justice. But the sums demanded were large: £20,000 for James Tweedie of Drumelzier, and £5000 for William Veitch of Dawyck.

The quarrel with the Scotts of Branhholm became active again in 1592, and on 15th December Walter Scott descended suddenly on the lands of Drumelzier and Dreva with about two hundred followers, and drove off 4000 sheep, 200 oxen and cows, 40 horses and mares, and goods to the value of £2000. Scott had before that provided a surety in the person of Sir John Edmestoun of that Ilk, that he would keep the peace, and accordingly this unfortunate cautioner was ordered by the Privy Council to pay the full amount of the damage. In the same year (1592) James Geddes of Glenhigton, brother of Charles Geddes of Rachan, was murdered in Edinburgh at the instigation of James Tweedie of Drumelzier; this episode has already been referred to (p. 283). For this Tweedie was put in prison.

In 1595, the King, tired of the Border feuds, and "thinking upoun his awne estate and the estate of the Commonwelth altogidder disordowrit and shaikin louse be resoun of the deidlie feidis and contraversis," ordered a number of offenders to appear before him and his Council at Holyrood under pain of rebellion. James Tweedie of Drumelzier was one of these cited to appear on 10th March, 1596. What came of that is not known, but shortly afterwards there is an entry of a caution given in by him for the sum of £10,000. From 1600 onwards there are still frequent references in the Register to the doings of the Tweedies, and the King in 1606, in his desire to reduce

the Border to obedience, endeavoured to enlist the aid of the principal offenders, and James Tweedie of Drumelzier is named as one "weill disposit to the peace and quietnes of the estaite." It was the old story of the poacher being engaged as gamekeeper, but to be called "weill disposit" did not change the wild nature of James Tweedie.

In 1607, on an evening in June, he was walking in the High Street of Edinburgh with his friend Alexander, Lord Spynie, and they were "gangand in peciable and quiet maner," when Lord Spynie was attacked by his kinsman David Lindsay of Edzell, and others. Lord Spynie was killed, and in the fray Tweedie was shot in the ribs and through the arms. But he recovered from these wounds.

All this time the feud with the Veitches was still active, and the King made a special effort to have it settled by issuing a proclamation in March, 1611, in which he takes credit for having suppressed other family feuds in the Kingdom, "so as wee do hardly think that there be any One Feid except this . . . unreconciled." The Privy Council were ordered to call before them the "Principalls of either Surname," and to take such action as they thought necessary. But if tradition is right, their efforts were not successful, for it is said that on 29th July, 1612, James Tweedie encountered by chance the laird of Dawyck by the side of the Tweed, and there met his death.

"They were alone when they confronted each other, the memories of centuries of mutual violence and mutual deeds of blood were quickened in their hearts, and that strange savage feeling of blood atonement seemed to thrill in both. They agree to settle the strife of centuries then and there, and as the birds waked the morn, Drumelzier was found dead beside a bush by the river, and the blood had stained the white blossoms of the hawthorn spray."<sup>1</sup>

James Tweedie married Helen Carmichael, the widow of William Cockburn of Skirling (p. 220), and by her he had at least two sons, James, who succeeded, and Walter. He appears also to have had other four sons, probably by a second wife, whose name is unknown. There is a memorial stone for this turbulent baron set into the wall of Drumelzier Church, with the inscription: *Hic Jacet Honorabilis Vir Jacobus Tuedy De Drumelzier.*

JAMES TWEEDIE OF DRUMELZIER, the eldest son, was twice married in the lifetime of his father—in 1604 to Elizabeth, daughter of William, sixth Lord Hay of Yester; and in 1606 to Margaret Anstruther (eldest daughter of Sir James Anstruther of that Ilk), whose tocher was 7000 merks, and who was infest, at the time of the marriage, in liferent in the lands of Halmyre, Boghouse and Kailzie.<sup>2</sup> He was served heir to his father on 22nd October, 1612, in Horn-

<sup>1</sup> Veitch, *History and Poetry*, etc., ii. p. 48.

<sup>2</sup> *Duns Castle Report.*



huntersland and Kailzie. He redeemed Wester Deanshouses in 1617 from his cousin James Tweedie and his wife Agnes Anstruther. This lady appears to have been a sister of Drumelzier's second wife, who by this time was dead. By that time he had married his third wife, whose name like that of his first wife was Elizabeth Hay, and they disposed their respective rights in Halmyre and Wester Deanshouses to John Murray of Halmyre (p. 30). In 1619, with consent of his uncle, Robert Tweedie, who was sometime in Bordland and Badlieu, he disposed Kailzie to Sir Robert Stewart of Shillinglaw. About this time he fell into debt, and granted wadsets over his properties. In 1622 Hornhuntersland became the property of Sir John Stewart of Traquair, and the following year (20th August, 1623) John, eighth Lord Hay of Yester (afterwards Earl of Tweeddale), obtained a Crown charter of the lands and barony of Drumelzier, with the tower and manor place, which he had appraised for a debt of 6825 merks.<sup>1</sup>

That was the end of the Tweedies of Drumelzier. Not content with taking the lands, Lord Hay threw the last laird into prison, and there is a pathetic appeal from him to the Privy Council on 7th August, 1627. He says that he has been kept prisoner in the Tolbooth of Edinburgh for the past five years and four months by Lord Hay, his cousin, who has appraised his lands along with the legal reversion of them; that when the Lords of Session would have given him liberty, Lord Hay prevented it so that he might keep possession of the estates and keep him in captivity until the day of his death; and that, as Lord Hay has everything he possessed, he has only been kept from starvation by the goodness of the jailer. This appeal was granted, and he was liberated.<sup>2</sup> But he died a few months afterwards, leaving two sons, James, who succeeded, and John.<sup>3</sup>

JAMES TWEEDIE on his succession was still laird of Drumelzier, but only nominally so, and the transfer to Lord Hay was confirmed by him in 1632. He was served heir to his father in the lands of Fruid (p. 407) on 3rd February, 1631, but that property had already been sold, and the service was only for the purchaser's protection. Any right he had to Halmyre was resigned by him and his wife, Elizabeth

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<sup>1</sup> *R.M.S.* viii. No. 518. This debt had been held by John Landis, and was acquired by James Hay, bailie of Yester, who assigned it to Lord Hay of Yester.

<sup>2</sup> Lord Hay's action appears vindictive, for Drumelzier was worth much more than the debt specified in the appraising.

<sup>3</sup> John was a minor when his father died, and on 12th February, 1628, in the tolbooth of Anstruther, he made choice of his curators. He was a son of his father's second marriage with Margaret Anstruther. Two years later he was served heir to his father, in respect of his mother's marriage contract, and thereafter renounced his right to Halmyre, etc., to his brother James of Drumelzier. Later he is referred to as a burgess of Anstruther.

Hay, to Wilkin Johnston in 1630. He was a landless man, and died in 1656.<sup>1</sup>

#### HAY OF DRUMELZIER

Lord Hay's <sup>2</sup> second wife was Lady Margaret Montgomerie, and of that marriage the only surviving son was William Hay, who was born in 1649, and to whom, as the heir of the marriage, Drumelzier was assigned. It was a provision of his mother's marriage contract (dated 22nd and 25th December, 1640) that the heir should be infeft in Drumelzier and Hopcarton, and receive in addition the interest of £60,000 Scots. Accordingly, William Hay had a Crown charter of the lands on 7th July, 1679; and he had also, from his brother John, second Earl of Tweeddale, a disposition of the Kirklands of Drumelzier and the property of Craig Kingledoors, in which he was infeft on 24th April, 1686.<sup>3</sup>

William Hay of Drumelzier, who had also lands in the parish of Ettrick,<sup>4</sup> married Elizabeth Seton, daughter of Alexander, first Viscount of Kingston, and dying in 1726 or 1727 was succeeded by his eldest son Alexander.

Alexander Hay of Drumelzier and Duns Castle was served heir to his father on 7th January, 1734, and again on 18th February, 1774, in the lands and barony of Whittinghame in East Lothian. He played the part of discretion during the '45, and was not "out" like his younger brother with the Prince's army. But still he came under suspicion, and was, in fact, in prison in Edinburgh for a time, and afterwards he remained abroad for some years. A story is told of a

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<sup>1</sup> Branches of the Tweedies are still in existence, and are referred to in the privately printed history of the family by Michael Forbes Tweedie published in 1902. These are:

- (1) The Tweedie-Stodarts of Oliver (see p. 382).
- (2) The Tweedies of Essex, etc., descended from George Tweedie (b. *circa* 1430), "who came out of Scotland from the House called Drumelzier."
- (3) The Tweedies, sometime of Quarter and Rachan (see p. 285).
- (4) The Tweedies of Rawlinson, Rolvenden, Kent (descended from the Tweedies of Quarter).
- (5) The Tweedies of Ridsen, Hawkhurst, Kent (descended from the Tweedies of Quarter).
- (6) The Tweedies of Cornwall (may be a branch of the Essex family).
- (7) The Tweedies of New Brunswick.
- (8) The Tweedies of Cloonamahon, Co. Sligo, Ireland.
- (9) The Tweedies, sometime of Quoethquan, Lanarkshire (said to be descended from John Tweedie, Tutor of Drumelzier).
- (10) The Tweedies of Coats (descended from the Tweedies of Dreva), see p. 505; and other minor branches.

<sup>2</sup> See Pedigree, vol. ii. p. 296.

<sup>3</sup> *Part. Reg. Sas.*

<sup>4</sup> The stipend from these lands for 1706-1708 was £200 Scots, and of that sum Mr. Thomas Boston, the minister of Ettrick, granted a discharge at Duns on 23rd June, 1709 (*Duns Castle Report*).



ALEXANDER HAY OF DRUMELZIER  
(d. 1789)



WILLIAM HAY OF DRUMELZIER  
(d. 1726-7)



ROBERT HAY OF DRUMELZIER  
(d. 1807)  
By Raeburn





tenant farmer on the Duns estate, who called for him at the prison and handed a purse through the window with the words, "I was thinkin', Laird, ye micht be wantin' the rent." He died on 13th March, 1789, in his 88th year. He was twice married—to Anne, daughter of Alexander, fifth Lord Blantyre, and to Jean, daughter of David Hay of Belton—and was succeeded by the third son of his first marriage.

Robert Hay of Drumelzier, Whittinghame, and Linplum was served heir to his father on 8th July, 1789. He was in the service of the East India Company for thirty-eight years, and died on 21st August, 1807. He married Janet, daughter of James Erskine of Cardross, and was succeeded by his eldest son, William.

William Hay of Drumelzier and Whittinghame was served heir to his father on 29th April, 1814, and he sold Drumelzier in 1831 for £25,000 to Sir James Montgomery of Stanhope. That sale was not completed, but the same year a sale was effected to Andrew White, a son of John White of Howburn, near Elsrickle.

Andrew White, who had been a merchant in Glasgow, died in 1841, and was succeeded by his son, John White of Netherurd (p. 205), who was infeft in the lands in 1844. Thereafter Drumelzier shares the story of Netherurd. The present proprietor, Mr. W. J. W. Nicol, has recently sold the farm of Drumelzier Haugh (rental £525 1s. 10d.) to Mr. Richard White Dickson; he has also sold the houses in the village.

The present rental of the remainder of the estate is £381 15s. 9d.

#### HOPCARTON.

The beautiful glen and burn of Hopcarton are on the right side of the Tweed, opposite Mossfennan. The left or south side of the glen is part of the lands of Stanhope, and the north side, to which the name of Hopcarton was given, is now part of Drumelzier.

The earliest proprietors of Hopcarton were the Frasers, but by the reign of Alexander II. (1214-49) the monks of Melrose were in possession, and for a convenient access acquired a wayleave through Mossfennan from the proprietor, William Purvis (p. 276). The grant to the monks was confirmed between the years 1291 and 1306 by Sir Simon Fraser,<sup>1</sup> and thereafter the monks held the lands, although probably only in superiority, until the Reformation.

<sup>1</sup> *Liber de Melros*, p. 318, No. 355.

On 2nd April, 1568, Michael Balfour, styled Commendator of Melrose, by authority of royal letters dated 3rd March, 1567, granted to Alexander Balfour of Denmylne various lands and properties, including Hopcarton and also Kingledoors, the feu-duty for Hopcarton being £3 6s. 8d.<sup>1</sup> Two years later, James Douglas, son of William Douglas of Lochleven, became Abbot and Commendator, and on 28th August, 1609, King James VI. granted to John, Viscount of Haddington, Lord Ramsay of Barnis, lands which had formed part of the temporalities of Melrose Abbey, and this grant included Hopcarton.<sup>2</sup> On the resignation of the Viscount of Haddington, the King on 25th August, 1618, granted the lordship of Melrose to Sir George Ramsay of Dalhousie, who was created Lord Ramsay of Melrose.<sup>3</sup> He resigned part of his possessions, including those in Peeblesshire, and the King on 30th September, 1613, confirmed them to Thomas Hamilton, Lord Binning, President of the College of Justice.<sup>4</sup>

Lord Binning, known as "Tam o' the Cowgate," was created Earl of Melrose in 1613, and a few years afterwards became Earl of Haddington. He and his son Thomas, Lord Binning, had a Crown charter embracing Hopcarton, on 1st March, 1634,<sup>5</sup> for which the feu-duty was still £3 6s. 8d. Thereafter the Earls of Haddington kept up their title to Hopcarton for some time,<sup>6</sup> but it could only have been a title to a nominal superiority, which is now dormant.

It would appear that the Tweedies possessed Hopcarton from an early date, although no trace of their title to it has been found. When John Tweedie, on the marriage of his son James in 1511 (p. 426), gave to him the lands of the west town of Drumelzier, one of the boundaries is stated to be Hopcarton burn, from which it is a natural inference, as Hopcarton is now part of Drumelzier and the burn is still the boundary, that the lands then belonged in property to the Tweedie family. If that is so, then the monks of Melrose were only holding at that time a superiority. In 1620, Hopcarton was wadset by James Tweedie to John Murray of Halmyre, and on 1st March, 1643, along with the Barony of Drumelzier, it was confirmed to Lord Hay of Yester and his wife, Lady Margaret Montgomerie, by Crown charter.<sup>7</sup> Hopcarton has since remained part of Drumelzier.

#### DAWYCK

This beautiful estate, comprising dwelling-house and policies, the Lour,<sup>8</sup> and the farms of Easter and Wester

<sup>1</sup> R.M.S. iv. No. 1819.

<sup>2</sup> *Ibid.* vii. No. 139.

<sup>3</sup> *Ibid.* No. 1913.

<sup>4</sup> *Ibid.* No. 1915.

<sup>5</sup> *Ibid.* ix. No. 64.

<sup>6</sup> *Peebles Retours*, Nos. 111, 116, 160, 178.

<sup>7</sup> R.M.S. ix. No. 1323.

<sup>8</sup> "Over against Stobo, below Wester Dawick, is a tenant's house called Lour" (*Pennecuik*, p. 269). A peel tower stood there, according to

Dawyck and Dawyck Mill, lying on the right bank of the Tweed, is bounded on the north by the lands of Barns (p. 613), on the east by Woodhouse (p. 606) and Hallmanor (p. 593), on the south by Drumelzier, and on the west by Stobo. The name is probably a corruption of *Davach*, which in the old Celtic system of land measures signified an extent of ground equal to 32 ox-gates or 416 acres.<sup>1</sup> Dawyck originally formed a chapelry of Stobo; after the Reformation it became (1598) a parish by itself, but in 1742 part of it—Easter Dawyck, the Lour and Dawyck Mill—was annexed to the parish of Stobo, and the remainder to the parish of Drumelzier.

The earliest reference is about 1214, when there were present at the adjustment of the marches of Stobo, "*Gylmor hund apud Dawwic*" and "*Mihhyn senescallus de Dawwic*." By the close of that century, the Veitches were in possession.

In 1296 WILLIAM LE VACHE, of the county of Peebles, swore fealty to King Edward I. of England. He was doubtless the laird of Dawyck, and is the first of the name known in the country. The name is supposed to come from the French, and in that language means a cow,<sup>2</sup> this animal being assumed in their coat of arms. The name underwent many forms of spelling in its use in this country, e.g. Vach, Vaich, Vaitch, Vatch, Veatche, Vetch, Wache, Waitche, Watche, Wauche, but it survives now in the two forms Veitch and Waugh.

There can be little doubt that the Veitch family descend from this William, but the next of the name is not found until 1434-5, when Barnaba le Vach of Dawic witnessed charters by the Hays of Yester at the Castle of Peebles (Neidpath) and at Peebles.<sup>3</sup>

Paul Veitch of Dawyck is referred to in 1457, and in 1474, the name of WILLIAM THE VACHE OF DAWIC appears, from whom the pedigree is continuous. His deeds or misdeeds are referred

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Armstrong, and there are remains of early dwellings. Originally it may have formed a separate possession, but it was part of Dawyck when it first comes into notice in 1534 (*Peebles Protocols*). Some of the tenants appear on record, John Noble (1588), James Burnet (1638), and in 1654 James Veitch, brother of Sir John Veitch of Dawyck (Barns Papers).

<sup>1</sup> Dawyck is now more than 416 acres. The old extent was £20=1040 acres.

<sup>2</sup> The traditional explanation of the family name given by Robert Veitch of Campflat is referred to in Chambers' *History*, p. 417.

<sup>3</sup> Yester Writs.

to in the records of the Privy Council and the Lords Auditors, and there he appears to us sometimes in the rôle of a reluctant debtor, and sometimes as a zealous creditor eager to force payment from his own kith and kin, for the family by this time had multiplied, and were in several farms in Peeblesshire. In one of the entries (1474) the deceased Sir Paul the Vache is mentioned, who may have been William's father; and another (1489-90) tells us that though he had no seal, William could sign his own name.<sup>1</sup> On 4th July, 1475, he served on a jury for the retour of the laird of Drumelzier.<sup>2</sup> One of his kinsmen, Bernard Veitch—he may have been his

## VEITCH OF DAWYCK



ARMS.—Argent 3 Cows' heads erased Sable.

CREST.—A Cow's head affrontée Sable.

MOTTO.—*Famam extendimus factis.*

own grandson—was a source of trouble in 1493-4. This man seems to have indulged in wholesale plunder of live stock and gear, for which the laird of Dawyck became responsible. Altogether there was more than a score of claims for restitution of property "spulzeit and taken," and William Veitch was allowed till Candlemas, 1495, to settle these.<sup>3</sup> In 1497 he sent herons to the King on two occasions, on the first of which the King seems to have been at Peebles, and on the second at Stirling.<sup>4</sup> He died in 1502, having had at least three sons who are found on record.

1. Alexander, who as son and heir-apparent of William Veitch of Dawyck on 24th November, 1481, granted a charter to his brother

<sup>1</sup> See *Acta Auditorum*, pp. 35, 118, 129, 140; also Renwick, *Historical Notes*, p. 283.

<sup>2</sup> *Duns Castle Report*.

<sup>3</sup> *Acta Dom. Con.* p. 357.

<sup>4</sup> *Treasurer's Accounts*, p. 338.





DAWYCK OLD HOUSE



DAWYCK



John, of the Mains of Sinton in Roxburghshire (by annexation in the Barony of Dawyck), in exchange for the lands of Easter Dawyck.<sup>1</sup> In 1506 he was receiving from the revenues of Peebles, apparently by the King's command, the sum of £8 yearly, which continued until 1509.<sup>2</sup> In 1502 he witnessed a deed in Peebles Tolbooth, and in that year mention is made of Bernard Veitch, his son and heir, as witness to a deed at Glenriska.

2. William, of whom presently.

3. John, who, as mentioned above, received a grant of the lands of Sinton from his brother Alexander in exchange for those of Easter Dawyck, and founded the branch of the Veitches of North Sinton. He was succeeded by his son George, who in 1525 had the lands confirmed to him by William Veitch of Dawyck, who held the superiority, and who in the following year entered Walter, the son of George, in them. The possessor in 1535 was John Veitch, who may have been a brother of Walter. If so, he was probably succeeded by his son named Walter, as the next named successor was James Veitch of North Sinton in 1601, who was then served heir to his father Walter, and in 1604 had a charter from the King of the lands of Corslie in the forest of Ettrick, of which he is said to be the native tenant. James was succeeded by his son, Walter Veitch of North Sinton, who was served heir to his grandfather Walter in 1609, and in 1625, with consent of his wife, Jean Cairncross, sold Corslie to George Pringle of Torwoodlee; and in 1641, with consent of his second wife, Janet Ker, and James Veitch, his eldest son, sold North Sinton, with the exception of Clerklands, to Francis Scott of South Sinton and William, his son. James Veitch married Helen Veitch, daughter of George Veitch of Clerklands.

WILLIAM VEITCH OF DAWYCK, the second son, in 1503 is called son, heir and intromitter with the goods of the deceased William Veitch of Dawyck. The expression may be a mistake at that date as his elder brother Alexander was still alive in 1509, but by 1510 both Alexander and his son Bernard seem to have died, and William was Laird of Dawyck. From 1509 to 1517, he received the payments from the burgh of Peebles which had formerly been made to Alexander. In 1510 he gave his bond of manrent at Neidpath to John, Lord Hay of Yester, who in turn became bound to defend him,<sup>3</sup> and in 1519 he was on the jury for serving Lord Yester as heir in his estates. As superior of North Sinton he granted a charter thereof to his nephew George in 1525, and a precept of sasine in 1526 to Walter, the son of George. In connection with these lands he had some litigation in 1535 with John Veitch, and obtained decree from the Lords of Council against him for the house of "North-Centoun." But a meeting at Gala Water beside Corslie took

<sup>1</sup> *R.M.S. v. No. 1493.*

<sup>2</sup> Renwick, *Peebles in Early History*, p. 42.

<sup>3</sup> *Yester Papers.*

place between them, and John gave up to William Veitch the steading of Corslie in return for being allowed to retain the tower of "North-Centoun."<sup>1</sup> William Veitch had a gift from the Crown on 20th February, 1532-3, of the rents of Glenrath and part of the west side of Easter Dawyck, which formerly pertained to him, but had been appraised to the King in 1522.<sup>2</sup> In 1530, he had to give surety for his good conduct as he was implicated in the treasonable dealings of William Cockburn of Henderland, who was beheaded (p. 529). On 11th August, 1534, he wadset Lour and the west side of Easter Dawyck to David Pringle of Smailholm and his wife and son, and the following day he conveyed to them the lands of Dawyck in special warrandice; these transactions being confirmed by a Crown charter.<sup>3</sup> In 1536 he resigned his lands of the Barony of Dawyck in favour of his son James.<sup>4</sup> William Veitch died about 1545.

JAMES VEITCH OF DAWYCK, his son, as stated, had a charter of the lands in 1536, and he was then married to Margaret Cockburn, who appears to have been a daughter of the House of Skirling. Nothing seems known of him save that he was convicted in the Justiciary Court at Lanark of certain acts of treason, as a result of which his estates were forfeited and he perhaps lost his life. On 3rd May, 1552, James Cockburn of Skirling received a Crown charter of the £20 lands of Dawyck and £10 lands of Sinton, which had belonged to the deceased James Veitch of Dawyck and had fallen to the Crown.<sup>5</sup> Doubtless this action on the part of James Cockburn was on behalf of the son and heir of James.

William Veitch of Dawyck, the son of James, possessed the lands till 1602. He was contemporary with the "Hoolet of Barns" (p. 575), and it is said was known as the "Deil o' Dawick." Both were of great physical strength, and constant allies in feuds and raids. "The Deil" got his *sobriquet* because it was believed that no one ever rose up from under his sword-stroke. He and the "Hoolet," says Professor Veitch, were often together in the "Hot-Trod" to England, for Peeblesshire was sufficiently near the Borders, and was frequently visited and harried by the Southern marauders. In his time a bitter feud broke out with the Tweedies of Drumelzier, the origin of which is not known. It is referred to elsewhere (p. 429). In 1553, as grandson and heir of the late William Veitch of Dawyck, he was infeft by Elizabeth Baird, the superior, in the lands of Over Glenrath on a Crown precept. These, with Horshoperig, he held on a wadset for 400 merks, which was renewed in 1564. On 6th June, 1556, in view of his marriage to Marion Fleming, daughter of William Fleming of

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<sup>1</sup> *Peebles Protocols*, sub data 24th June, 1561.

<sup>2</sup> Reg. Privy Seal.

<sup>3</sup> *R.M.S.* iii. No. 1406. The *reddendo* for Lour, etc., was one penny yearly, and for Dawyck a red rose.

<sup>4</sup> *Ibid.* No. 1585.

<sup>5</sup> *R.M.S.* iv. No. 691.



Boghall, he granted to her in liferent the £8 lands of Wester Dawyck.<sup>1</sup> These must have included the mill and mill lands of Dawyck, extending to four acres of land with an onset of houses belonging to the mill called Henhill, as two years later she ratified (as being infest in them) a wadset by her husband thereof to William Johnstone. In the interval, on 26th October, 1557, he appeared in presence of Mr. John Colquhoun, commissary of the jurisdiction of Stobo, and renounced all curators elected by him prior to this date, especially Mr. John Gledstanes, Alexander Crichton of Newhall, and Bernard Veitch, and all deeds and contracts made by them in his name,<sup>2</sup> a transaction which shows that he was quite a young man at this time. In 1564 he received a charter from the Crown of the £20 lands of Dawyck and £10 lands of Sinton, on his own resignation.<sup>3</sup> He died in September, 1602. He had at least three sons:

1. John, his successor.

2. Patrick, who was killed on 16th June, 1590, at Neidpath Castle while returning from Peebles, by James Tweedie of Drumelzier and other Tweedies, including John Tweedie, tutor of Drumelzier, who four days later was killed in Edinburgh in revenge by a party of Veitches (see p. 429).

3. William, who had seven acres of the Kirklands of Peebles, in which his grandson John, then portioner of Ladyurd, was in 1677 served as his heir. He had a son Thomas, who was also portioner of Lochurd, to whom the said John was served heir in 1659. John married Margaret Geddes. Thomas Veitch had also a son, Mark.

JOHN VEITCH OF DAWYCK, the eldest son, is mentioned along with his father as a witness at Hartree in 1579. The Presbytery in May, 1603, made a spasmodic effort to stop the feud between the Veitches and the Tweedies, but only succeeded in getting an assurance from the laird of Drumelzier that he would keep the peace until midsummer. John Veitch, in 1604, was present at Woodhouse at the making of John Burnet's will. He only survived his father a year or two, as he is mentioned as deceased in his son's sasine, dated 21st May, 1606. He married Janet Stewart, an aunt of John, first Earl of Traquair, and left four sons and three daughters.

1. William, his successor.

2. Malcolm Veitch of Muirdean, who was about 1623 servitor to Sir John Stewart of Traquair. He held Foulage (vol. ii. p. 329) for a time, but in 1618 resigned it in favour of Andrew Lauder in Heathpool. In 1624 he acquired from Sir William McDowall of Mackerston the lands of Lintounlaw, Muirdene, and Wester Mains of Mackerston in Roxburghshire. He died in 1630, and on 3rd February, 1631, his eldest son John was served heir to him. He had other children: William (who was apprenticed in 1643 to

<sup>1</sup> R.M.S. iv. No. 1088.

<sup>2</sup> *Peebles Protocols*.

<sup>3</sup> R.M.S. iv. No. 1587.

Robert Laurie, tailor, Edinburgh), James, Alexander, Joan, Janet, Elizabeth and Katherine (who married in 1645 John Little of Foulage), to whom on 16th December, 1630, their uncle, Mr. Frederick, was served tutor.

3. Mr. Frederick Veitch, who is mentioned as a servitor to Sir Robert Stewart of Shillinglaw in 1621. He was married, and had at least two daughters: Margaret, born in 1653, and Elizabeth, who died in that year.

4. Alexander Veitch in Nether Horsburgh and of Manor. He married in December, 1623, Janet Geddes, sister of James Geddes, portioner of Kirkurd, and had sons,—Alexander, John (born 1628), and William, who was in Redpath, and had a son, Henry, minister of Swinton. Henry's son, John, a writer in Edinburgh, had a son Hugh in Stewartfield, whose daughter Rachel married John Haig of Cameron Bridge in Fife, and their son Douglas is now Earl Haig of Bemersyde and Viscount Dawick.

Alexander Veitch had also a daughter, Helen, born in 1644. In 1631 he acquired a wadset from John Lowis of Manor, of Castlehill and other lands of his half barony of Manor, and ultimately obtained full possession of them in 1687, when he was styled "of Manor." He had then married his second wife, Margaret Scott, sister of John Scott of Hundleshope (contract 28th October, 1635), and she was infest in liferent. But their possession was short. By 1645 he had wadset these lands to Sir John Veitch of Dawyck and was unable to redeem them.

5. Agnes, who married (contract dated 10th June, 1615) Mr. Alexander Greig, minister of Drumelzier.

6. Margaret, who married (contract dated 30th December, 1623, and 6th January, 1624) Adam Dalgleish of Deuchar.

7. Christian, who married about 1634 James Paterson of Caverhill.

WILLIAM VEITCH OF DAWYCK, the eldest son, was infest as heir to his father in North Sinton in 1606, and married in 1613 Christian Murray, daughter of Sir John Murray of Blackbarony. His kinsman, James Veitch in Stewarton, was killed in 1614 by William Hamilton, brother of the laird of Coldcoat (Macbiehill), and this feud was settled by the Veitches and the Hamiltons appearing before the Privy Council on 19th December, 1615, when William Hamilton "humelie on his kneis acknowledgeit his offence done to the laird of Dawik and his freindis... and craved God and thame forgifnes... and did unto thame homage." Thereafter "the saidis pairteis... choippit handis everie one of thame with another."<sup>1</sup> This laird was present at the weaponshaw in 1627, "weil horsit with ane sword, accompanied with ane horseman with a sword and lance." Tradition says that he killed James Tweedie of Drumelzier in 1617 in a duel by the banks of the Tweed (p. 430). On the back of a receipt by him in 1637, which is

<sup>1</sup> *Reg. Priv. Con.* x. p. 430.

witnessed by James Veitch,<sup>1</sup> "my natural son," he is styled "Old Dawick." He was still alive in 1654. He left three sons :

1. John, who succeeded him.
2. James. He won the bell in the Peebles race in 1637.
3. Robert. He also won the bell in the Peebles race in 1641, and was thereupon made a burgess. He married (contract dated 4th and 15th May, 1642) Elspeth Hunter, sister of Robert Hunter of Polmood, to whose tocher Andrew Hay of Haystoun and his son Mr. John Hay promised to contribute 3000 merks.
4. David, mentioned in 1654, as witness to a bond at Peebles.

SIR JOHN VEITCH OF DAWYCK, the eldest son, as younger of Dawyck, was on 26th September, 1634, the recipient of a Crown charter of the barony, and in 1636 he had a wadset of a fourth of Glenrath for 10,000 merks. He had the honour of knighthood conferred upon him, and for a time represented the shire in Parliament. He acquired the half barony of Manor from his uncle, Alexander Veitch, about 1643, and was made a burgess of Peebles on 9th August, 1649. In 1672 he was served heir to his great-grandfather, William Veitch of Dawyck, in Glenrath and Horsehope, and in the same year he disposed Castlehill and other lands in Manor to George Baillie, a son of Jerviswood. In the following year he made over Glenrath to John Murray, second son of Sir David Murray of Stanhope. Sir John was Master of Work and General Warden of the King's Tradesmen,<sup>2</sup> and also joint Royal Architect,<sup>3</sup> in the time of Charles I., and later he held the appointment of Presenter of Signatures in Exchequer. On 2nd May, 1650, along with the lairds of Barns and Posso, he signed a declaration before the Presbytery of adherence to the Solemn League and Covenant. He died before July, 1682. He married, first, in 1638, Marion Sinclair, daughter of Sir John Sinclair of Stevenston, by whom he had three sons. She died about 1644, and he married, secondly, in 1644, Christian Naesmyth, daughter of Sir Michael Naesmyth of Posso, by whom he had two sons and three daughters, Christian, Mary, and Agnes. Mary married John Mitchelson of Middleton. The sons were :

1. John, who succeeded.
2. Robert, who is mentioned in the entail by his father in 1644.
3. David, who was apprenticed in 1652 to Patrick Christie, wright in Edinburgh.

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<sup>1</sup> This James was apprenticed to George Walker, merchant in Edinburgh, but he came back to the land and was in Lour. He may have been the James Veitch who was in Garvaldfoot and was father of Alexander Veitch of Glen.

<sup>2</sup> After 1645 this office was held jointly by Sir John Veitch and Daniel Carmichael, son of Sir James Carmichael of that ilk.

<sup>3</sup> Along with Captain John Carmichael, who was killed at Marston Moor (1644), and who was succeeded in the joint office by his brother, the said Daniel Carmichael.

4. William, who as the eldest son of the second marriage was provided with the lands purchased from Alexander Veitch of Manor, but he died before 1672.

5. Michael, the second son of the second marriage, was apprenticed in 1663 to James Justice, merchant in Edinburgh, and was served heir to his brother William in 1696.

JOHN VEITCH OF DAWYCK succeeded his father in his office of Presenter of Signatures in Exchequer. On 20th June, 1642, and 7th June, 1644, he was placed in the fee of the barony of Dawyck on his father's resignation, a provision being made for his brother Robert. In 1669 he was infeft in Over Glenrath. He married Isabel Greirson, and died about 1702. In his time Dawyck passed into the possession of Mr. James Naesmyth, advocate, who was infeft in it in November, 1691. Veitch was deeply in debt, and the provisions made by his father to the children of his second marriage are said to have been the chief cause. He had two sons, the second being Robert, who in 1704 had a sasine of the lands of Acrefield, was a writer in Edinburgh, and died without issue there in May, 1717.

JOHN VEITCH OF DAWYCK, the elder son, married (contract dated 21st December, 1699) Margaret Nisbet, only child and heir of James Nisbet of Whitehouse and his wife Mary Hay, and she brought to him what she inherited from both in Berwickshire. He also held the office of Presenter of Signatures in Exchequer, and died in 1719, leaving his widow and three sons and three daughters.

1. John Veitch, who married and had two sons and a daughter, mentioned in the will of his brother Charles in 1736, named Robert, Charles, and Christian.

2. Charles, who went abroad, and died at Bussorah in 1737 without issue.

3. Robert, of whom nothing has been ascertained.

4. Ann, who married (contract 22nd May, 1725) James Burnet of Barns, and had issue.

5. Mary, who married William Gaius, surgeon, afterwards a brewer in Haddington.

6. Christian, mentioned in her brother Charles' will.

### NAESMYTH OF DAWYCK

Mr. James Naesmyth, who acquired Dawyck as we have seen in 1691, obtained on 17th September, 1703, a Crown charter by which it was erected into a Barony, into which were incorporated Naesmyth's other lands of Smellhope and Uriesland in Glenholm, and Wrae in Manor, and Crookston.

The story of the Naesmyths is told under Posso (p. 563). This Mr. James Naesmyth was a grandson of James Naesmyth of Posso, who was sheriff-depute of Peeblesshire when the weaponslaw of 1627 was held. It is said that the new proprietor earned for himself the name



of "the Deil o' Dawyck," but tradition has already given that title to William Veitch of Dawyck (p. 438). He was an advocate and successful in his profession, and in 1706 was created a baronet of Nova Scotia. In 1709 he acquired Posso from his cousin, Dr. Robert Naesmyth, and then made an attempt to change the name of Dawyck to that of New Posso. But that attempt was resented and afterwards given up. He made his residence at Dawyck, where he practically rebuilt the house by adding to the front of the old peel-tower a square plain harled wing, with fourteen windows looking to the Tweed. Pennecuik (1715) thus refers to the estate :

"It is now in the hands of Sir James Naesmyth of Posso, an eminent lawyer, who has rebuilt the house and garden, and added some more ornamental planting for the beauty of the place. Here in an old orchard, did the herons in my time build their nests upon some large pear-trees, whereupon in the harvest-time, are to be seen much fruit growing, and trouts and eels crawling down the body of these trees. These fish the herons take out of the river Tweed to their nests ; and this is the remarkable riddle that they talk so much of—to have flesh, fish and fruit at the same time upon one tree."

Sir James Naesmyth entailed his lands in 1709, and died in 1720.

It was at the instigation of his son, Sir James, second Baronet, that Dawyck was suppressed as a separate parish in 1742. This was a change which was economically sound, and the stipend was added to Stobo and Drumelzier. The improvements which he and his successors carried out in the way of planting of trees have been referred to.<sup>1</sup>

Sir James Naesmyth, third Baronet, who succeeded in 1779, acquired ten years later the old glebe of the parish from the ministers of Stobo and Drumelzier. The glebe, which lay south-west of the church, was about four acres, but it carried pasturage rights for a horse, two cows, and forty sheep.<sup>2</sup> He also feued in 1795 from Robert Hay of Drumelzier the haughland (14 acres) on the north side of the road opposite Altarstone, for a yearly feu-duty of £13 1s. 8d. ; and in 1816 he acquired for £382 and a yearly feu-duty of 1s., from William Hay

<sup>1</sup> Vol. i. p. 419.

<sup>2</sup> The church lands of Dawyck, under reservation of the glebe, were feued in 1580 by Robert Douglas, "perpetual vicar" of Stobo, with consent of the archbishop, dean and chapter of Glasgow, to John Tweedie, tutor of Drumelzier, and are described as "the vicarage lands of Dayik, with the pasturage of 38 souns of sheep; reserving four acres of land and the manse to the reader of the church." The feu-duty was five merks yearly (*R.M.S.* v. No. 3831). These lands were confirmed to Marion Tweedie, daughter of John, by Crown charter dated 14th February, 1606 (*Ibid.* vi. No. 1706). There is no further trace of them, but they must have been acquired later by the Veitches or the Naesmyths.

of Drumelzier, a strip of ground (21 acres, Scots measure) planted with fir trees lying between Wester Dawyck and Drumelzier.

Sir John Murray Naesmyth, the fourth Baronet, pulled down the old house in 1830 and built the present house and the chapel,<sup>1</sup> constructed the terraces, and planted the great mass of existing woods. He was an eager arboriculturist, and his expenditure on the property far exceeded that of his predecessors or of his son and successor.

## BALFOUR OF DAWYCK



ARMS.—Parted per pale Argent and Sable, on a chevron between 3 fleur-de-lis, all counter changed, an otter's head erased proper.

CREST.—A Mermaid holding in her dexter hand an otter's head erased and in her sinister a comb all proper.

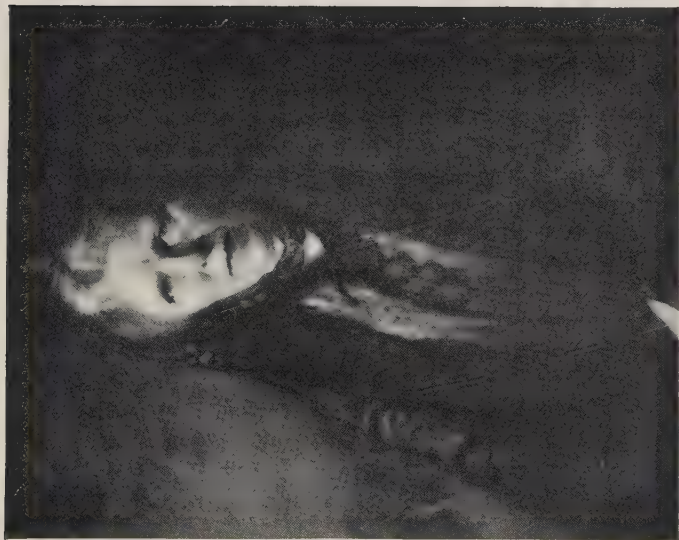
MOTTO.—*Nil temere.*

Dawyck was disentailed and sold in 1897 by Sir Michael George Naesmyth, sixth Baronet, to the trustees of Alexander Balfour, a Liverpool merchant, to whose honour a

<sup>1</sup> It was built in 1837 on the site of the old church, of which a portion of the old wall was still standing. It contains the original font and the old bell, which was originally founded in 1642 and refounded in 1791. In 1897 it was re-roofed by the trustees of Alexander Balfour, and in 1898 a three-light window was put in to the memory of E. R. Balfour, Mrs. Balfour's second son, who died 27th August, 1897.

There are brass tablets on the walls to commemorate the Veitches, and marble memorials to the Naesmyths, whose bodies lie in a vault below. There is also a bronze memorial tablet to the late Alexander Balfour.

In the ground outside are one or two tombstones of the old churchyard, including one to Alexander Stevenson, tenant in Dreva and afterwards of Smithfield (vol. ii. p. 341).



MRS. BALFOUR OF DAWYCK  
By Oswald Birley, 1903



LT.-COL. F. R. S. BALFOUR OF DAWYCK  
By Laszlo, 1922





statue stands in George Square there. He was the representative of a family that had been settled in Fife for three centuries, and a man held in high estimation for a life devoted to the service of his fellow-men. His widow, whose evangelical devotion and loyalty to the Free Church constantly found expression in catholic goodwill and charity, was lady of the manor till her death in 1923. Her memory is cherished in the district. Considerable additions were made to the house in 1898 and 1913.

Their son, Frederick Robert Stephen Balfour, the present laird, was born in 1873 and educated at Loretto and Trinity College, Oxford. He served four years with his father's firm on the Pacific Coast, and then settled at home, marrying in 1904 Gertrude Norman, daughter of Frederick Norman, of Moor Place, Hertfordshire, and sister of Montague Norman, Governor of the Bank of England. He is a director of several companies, a member of the Royal Company of Archers, Hon. Lt.-Col. (1916), and was Vice-Lieutenant of the County of Peebles (1922-6). Keenly interested in arboriculture, he contributed the chapter on Botany to this history, and his own collection of trees and shrubs is perhaps the most complete in Scotland. Dawyck is now, in the words of the late H. J. Elwes, "a place of pilgrimage for all lovers of arboriculture."

The present rental is £629 15s.

#### STANHOPE

This large sheep farm, with its imposing glen, is bounded on the north by Drumelzier and Posso, on the south by Polmood, on the west by the river Tweed and Mossfennan, and on the east by Manorhead and Selkirkshire. The extent is about 6000 acres.

Stanhope, when it first appears on record in 1473, was a Temple land. In that year Sir William of Knollys, Commendator of Torphichen, granted on 12th September a tack of the west half<sup>1</sup> of Stanhope along with the west half of Oliver Castle, to Walter Tweedie,

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<sup>1</sup> *i.e.* the half adjoining Hopcarton and Drumelzier which the Tweedies already possessed.

son and heir of James Tweedie of Drumelzier, at a yearly rent of £15.<sup>1</sup> This half remained with the Tweedies, and in 1560 Agnes Somerville, widow of John Tweedie of Drumelzier, was in possession in right of her terce, and sued her son James Tweedie of Drumelzier and his son Patrick for unlawfully removing her goods therefrom, an offence which she pardoned.<sup>2</sup> The east half<sup>3</sup> was at that time in the occupation of Lowis of Manor, and on 17th April, 1566, James, Lord of Torphichen, granted a charter of it to John Lowis, son and heir of John Lowis of Manor, Isabel Paterson his wife, and their eldest son Thomas. The feu-duty was £10 with 40s. of augmentation, and the like feu-duty is specified in a charter of the west half to William Tweedie of Drumelzier and his wife Katherine Betoun, which charter was renewed, as sasine had not been taken, to her and her son, James Tweedie of Drumelzier, on 2nd January, 1572-3.<sup>4</sup> In 1591, Thomas Lowis of Manor disposed his half to Philip Scott of Dryhope, who in 1600 transferred it to James Tweedie of Drumelzier, who then became the proprietor of the whole of Stanhope. In 1614 he had a charter of the east half, in confirmation of the grant by Scott of Dryhope, and also of Torpedo,<sup>5</sup> from James, Lord of Torphichen; and in the following year, sold the property to John Murray of Halmyre, who in 1617 had charters from the superior.<sup>6</sup>

JOHN MURRAY OF HALMYRE (p. 31)<sup>7</sup> was succeeded by his son David in 1625.

DAVID MURRAY took up his residence at Stanhope, and was knighted by King Charles I. about 1634. He sold Halmyre to Wilkin Johnston, and he also disposed of the lands of Fruid (p. 407) to John, Lord Hay of Yester; but to Stanhope he added the barony of Broughton, which he acquired in 1634 and 1636 (p. 253), and half of Whitslade and parts of Glenholm in 1634 (p. 293), along with other lands in the neighbourhood, which are set forth in a Crown charter to him and his eldest surviving son William on 17th March, 1645, by which charter they were united into the free barony of Stanhope-Murray, with the mansion of Stanhope as the principal messuage.<sup>8</sup> His sympathies were with the Royalists, and he joined Montrose in his fight for the King. He married Lilius Fleming, daughter of John, Earl of Wigtown, (her mother being Lady Lilius Graham, daughter of John, Earl of Montrose), and by her had three sons and several

<sup>1</sup> *Duns Castle Report.*

<sup>2</sup> *Peebles Protocols.*

<sup>3</sup> This part adjoined the lands of Dollarburn in Manor, which belonged then to the Lowis family.

<sup>4</sup> *Duns Castle Report.*

<sup>5</sup> This was apparently another part of Stanhope, but its situation is not known; the feu-duty was 4 merks.

<sup>6</sup> *Duns Castle Report.* The Templar superiority was resigned to the Crown about twenty years later.

<sup>7</sup> See Pedigree.

<sup>8</sup> *R.M.S.*

daughters. He was M.P. for Peeblesshire 1639-41, 1644-45, and died before 1653.

1. John, the eldest son, predeceased his father unmarried before 1645; and his brother, William, was served as his heir in 1647.

2. William, who succeeded to Stanhope.

3. John Murray, who acquired the estate of Glenrath in Manor, and married in 1671 Jean Baillie, daughter of John Baillie of St. John's Kirk by Violet Riddell. He died in 1674, leaving his widow (who subsequently married William Burnet of Barns) and two children, David, who died young, and Violet, who became her father's heiress.

## MURRAY OF STANHOPE



ARMS.—Quarterly: 1st, Argent a hunting horn Sable, garnished Gules, on a chief Azure 3 stars of the field; 2nd, Azure 3 frases Argent; 3rd, Argent on a chief Gules 3 cushions Or; the 4th as the 1st.

CREST.—A dove with an olive branch in his beak proper.

MOTTO.—*Pacis nuctia.*

4. Margaret, the eldest daughter, who married George Brown of Colston in 1648.

5. Rachel, who married in 1666 James Scott of Hundleshope.

6. Janet, who married John Dickson of Whitslade.

7. . . who married William Smith, merchant burghess of Edinburgh.

8. Jean, who married John Porteous of Glenkirk (contract, 24th January, 1670).

9. Isabella, who married . . . Baillie of Walston.

SIR WILLIAM MURRAY OF STANHOPE was greatly attached to the cause of King Charles II., and probably on this account was im-

prisoned for some time in July, 1655, in Peebles Jail,<sup>1</sup> having been fined in the previous year by Oliver Cromwell £2000 sterling for his loyalty. After the Restoration the King rewarded him in February, 1664, with a baronetcy for his signal merit and loyalty, the succession being limited to heirs male of his body.<sup>2</sup> In the same year he acquired from Sir Michael Naesmyth of Posso the lands of Over and Nether Stirkfield (p. 267). In 1671 he had a Crown charter of the lands and barony of Broughton, which, with a quarter of Broughtonshiels, the lands of Whitlade, and part of Glenkirk, were erected into the Barony of Broughton, with the manor place of Littlehope (its name being changed to Broughton) as the principal messuage. There Sir William had his residence. He married Janet Johnstone, daughter of James, Earl of Hartfell, and died about 1688. He was M.P. for Peeblesshire 1661-63, 1665, 1667. He had a number of children :

1. David, who succeeded him in the lands.
2. James, an officer in the army, and latterly gentleman of the bedchamber to King James VII. He died at St. Germain's, without issue.
3. William, also in the army. He married and had two daughters.
4. Margaret, who married (1) William Dickson of Kilbucho, and (2) Alexander Cochrane of Barbauchlaw, with issue to both.
5. Henrietta, who married Sir John Dalziel of Glenae.
6. Mary, who married Alexander Muirhead of Lenhouse.
7. Anne, who married John Dickson of Hartree.

SIR DAVID MURRAY OF STANHOPE, the second Baronet, in 1679, on his father's resignation, received a Crown charter of the barony of Stanhope, including Langlawhill and half of the Kirklands of Broughtonshiels, and on 16th April, 1684, married Anna Bruce, second daughter of Alexander, Earl of Kincardine. In his marriage contract his father disposed to him the barony of Broughton and a considerable number of other lands in the parishes of Broughton, Drumelzier, and Tweedsmuir, and also the lands and barony of Stobo. He had also the lands of Ardnamurchan in Argyll, which he purchased in 1726. He married as his second wife, in 1714, Margaret Scott, daughter of Sir John Scott of Ancrum, and widow of Thomas Scott of Whitlade. By his first lady he had five sons and three daughters, and by his second four sons and three daughters. Sir David was M.P. for Peeblesshire 1681-2, 1689-93. He died in the end of January, 1729, aged 69.

1. William, who died in infancy.
2. Alexander, who succeeded his father.
3. Mr. James, who died unmarried.
4. David, who married Frances Macclesfield, and had a son David, who became the fourth Baronet of Stanhope.
5. Charles, who had some of the lands of Stanhope in his possession, and granted tacks of them in 1734 and 1751, and in 1767 had

<sup>1</sup> Burgh Court Books.

<sup>2</sup> R.M.S.



them adjudged from him by his creditors for debt. He was collector of customs at Bo'ness. On the death of his nephew, the fourth Baronet, he became the heir to the title.

6. William, who died young.

7. John, who became the seventh Baronet of Stanhope.

8. Patrick, who was an ensign in the 3rd Guards, and aide-de-camp to the Earl of Dunmore, and was killed at the battle of Fontenoy.

9. James, who died young.

10. Janet, who married Lord Charles Ker, second son of Robert, Marquis of Lothian.

11. Veronica, who married Robert Hunter of Polmood.

12. Anne, who married Brigadier-General David Nairn of the St. Ford family.

13. Margaret, who married Thomas Hay of Huntingdon, Senator of the College of Justice.

14. Henriët, who died young.

15. Christian, who died young.

SIR ALEXANDER MURRAY OF STANHOPE, the third Baronet, was M.P. for Peeblesshire in 1710, and was placed by his father in possession of the baronies of Stanhope and Broughton on the occasion of his marriage in that year to Grizel Baillie,<sup>1</sup> the eldest daughter of George Baillie of Jerviswood.<sup>2</sup> This marriage was not a happy one, and she obtained a decree of separation and aliment against him on 15th March, 1714, when she returned to her father's house. She had brought to him a tocher of 20,000 merks, and Sir Alexander settled on her by deed on 22nd September, 1720, an aliment of £150 sterling, payable from the lands and barony of Stobo. As the aliment was not paid she adjudged these lands from him in 1727, and obtained herself a Crown charter of adjudication thereof on 12th February, 1729, assigning her rights and claims to her father, and he on 12th September of that year was infest therein. Two years later he adjudged from Sir Alexander not only the lands and barony of Stobo, but also those of Stanhope Murray, Over and Nether Menzion, Glenrath and others.

In 1719 Sir Alexander Murray sold the lands and barony of Broughton and others to Mr. John Douglas, brother of William, Earl of March (p. 254). In 1721 he took a tack from James Burnet of Barns of all the minerals, excepting coal or limestone, which could be found on the granter's lands within the parishes of Manor and

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<sup>1</sup> She is the "sweet-tongued Murray" in John Gay's poem—"Mr. Pope's Welcome to Greece." She wrote a memoir of her mother, the heroic Lady Grizel Hume (1665-1746, daughter of the Covenanting Earl of Marchmont), who is still remembered as the author of the beautiful poem, "Were na my heart licht, I wad dee."

<sup>2</sup> Son of Robert Baillie of Jerviswood, who after a cruel trial was hanged in Edinburgh for alleged complicity in the Rye House Plot.

Peebles for forty-five periods of nineteen years, agreeing to pay for the same one-tenth of all that was found.<sup>1</sup> He died in 1743 without issue, and the succession devolved on his nephew.

SIR DAVID MURRAY OF STANHOPE, the fourth Baronet, was a son of David (the fourth son of Sir David Murray, the second Baronet), a merchant in Leith. This Sir David took part in the rebellion of 1745, and was a captain of horse in the Prince's army. He was taken prisoner at York and sentenced to death, but obtained a pardon on condition of his leaving the country. His estates were forfeited, and he died abroad in exile in 1770. His uncle Charles then assumed the title, but also died in that year. It is said that Charles's son, David, then took the title, but he died at Leghorn in October of the same year. The succession then fell to another uncle, John Murray of Broughton.

(SIR) JOHN MURRAY (OF BROUGHTON), the eldest surviving son of Sir David Murray, the second Baronet, by Margaret Scott, is notorious from his connection with the '45 and Prince Charles, whose secretary he was during that episode. His life and adventures are fully set forth in the *Memorials of John Murray of Broughton* by Mr. Fitzroy Bell,<sup>2</sup> and his relations to Broughton are given in the chapter dealing with that parish. By his wife Margaret, daughter of Colonel Robert Ferguson, whom he married about 1738, he had three sons: David, Robert and Thomas. She left him, and the date of her death is unknown. He eloped with a schoolgirl—Miss Webb—by whom he had a son, Charles, born 1754. Sir John died in 1777, succeeded by his eldest son.

(SIR) DAVID MURRAY, eighth Baronet, was a naval officer, and died without issue in 1791, succeeded by his brother Robert.

(SIR) ROBERT MURRAY, ninth Baronet, married Emily, daughter of Vice-Admiral Francis Pickmore, and died in 1794, leaving two sons, David and John.

(SIR) DAVID MURRAY, tenth Baronet, died without issue, succeeded by his brother John, who married Catherine Callendar, and died in 1866 predeceased by his only son, John Francis.

There are still descendants of Charles Murray, son of Sir John Murray, seventh Baronet, and Miss Webb (see Pedigree).

#### MONTGOMERY OF STANHOPE.

The estates of the Murrays having been forfeited after the '45, Stanhope, Stobo and Menzion were sold by decree of the Court of Session in 1767 for £40,500. The purchaser was Mr. James Montgomery, of whose family an account is given in the chapter on Stobo (p. 497). His descendants held Stanhope till 1926, when it was sold by

<sup>1</sup> Barns Papers.

<sup>2</sup> Scottish History Society.

Sir Basil Templer Graham Montgomery to Mr. Graham Kinloch Cox.

The present rental is £742 8s.

## POLMOOD

This estate, which includes the farm of Patervan (1695 acres),<sup>1</sup> lies along the north side of the Polmood burn, which runs to the Tweed down a deep narrow glen, and is bounded on the north by Stanhope, on the south by Hearthstane ('Tweedsmuir'), and on the west by Kingledoors.

Tradition records that King Malcolm Canmore, in or about 1057, gave to Norman Hunter the lands of Polmood, and in proof of this the fantastic rhyming charter so well known in connection with the origin of this family is quoted :

"I, Malcolm Kenmure, King, the first of my reign, gives to thee, Norman Hunter of Powmood, the Hope, up and down, above the earth to heaven, and below the earth to hell, as free to thee and thine as ever God gave it to me and mine, and that for a bow and a broad arrow, when I come to hunt in Yarrow ; and for the mair suith I byte the white wax with my tooth, before thir witnesses three, May, Maud and Marjorie."

This is as Pennecuik (1715) gives it, who had it from the proprietor as the original charter of the lands, and says : "The broad arrow is still in the house, and the bow has been seen by several persons." A copy of a similar charter, with variations, is reproduced. It belongs to Miss Mitchell Thomson, and is said to have been made in 1790 by Thomas Hunter, but who he was or from what document the copy was made, there is no record to show. On the face of it the charter is an absurdity, and manufactured to uphold a family tradition. Yet there is no reason to throw aside the tradition itself, as it is quite a probability that Polmood may have been given by one of the early Scottish kings for some signal service to one of his hunters called Norman.<sup>2</sup> The difficulty is that the lands in that case would be a Crown gift, and the transmissions would appear in the Register of the

<sup>1</sup> "In a field, the second north from the steading of Patervan, and within about fifty yards of the Tweed, are four lonely trees which are said to mark the site of a hamlet called Lincumdoddie" (Chambers, *History*, p. 425). It is immortalised in the song of Burns :

"Willie Wastle dwelt on Tweed,  
The spot they ca'd it Linkum-doddie."

£ <sup>2</sup> Armstrong suggests that William the Lion may have made the grant to Norman Hunter as a refugee from Normandy who had fled to Scotland.

Great Seal, whereas there are no such records, and the earliest reference to Polmood shows that in the fifteenth century it was part of the barony of Oliver Castle, and held of the Flemings and afterwards of the Hays of Yester as superiors.<sup>1</sup> Before the Flemings that barony was a possession of the Frasers of Oliver from the twelfth century. How it was acquired is not known, but it is not impossible that when the grant was made, the Hunters were in possession of Polmood, and in consequence became vassals of the Frasers. Certain it is that the Hunters are the only known possessors in early history.<sup>2</sup>

## HUNTER OF POLMOOD



ARMS.—Argent a chevron wavy Azure between three hunting horns Vert, garnished Gules.

CREST.—A dexter and sinister hand and arm holding a bow and arrow in full draught proper.

MOTTO.—*Fortuna sequatur.*

The earliest notice occurs in 1439, when, on 14th August, WALTER HUNTER OF "POLEMOOD" was a witness at Mossfennan to a charter, and the next is in 1470 when Robert, Lord Fleming, made over his superiority of Polmood, with other lands, by way of excambion to Sir David Hay, father of John, first Lord Hay of Yester.<sup>3</sup> Of these, Sir David Hay had a Crown charter on 12th July, 1470.<sup>4</sup> There is an attestation in writing on 15th May, 1474, on the occasion of the service of James Hunter to the lands of "Polmude," by Robert, Lord

<sup>1</sup> The superiority still forms part of the Neidpath estate (vol. ii. p. 291).

<sup>2</sup> Part of the property was at one time called the Bower, and "Laurenz atte Boure" was one of the Peeblesshire freeholders who swore fealty to King Edward I. in 1296.

<sup>3</sup> Wigtown Inventory.

<sup>4</sup> *Yester Papers.*



Originall  
of the  
of  
in the



Charter  
of the  
Burgh  
of  
Polmoode  
year 1557.



# MALCOLM: KANMORE

King: the first of my reign: gives to the Barons  
Hunter upon & rather Pensions: with all the  
bonnds within the Flood with the Hoop and Hoopstone:  
& all the bonnds up & down: above the Earth to Heaven:  
& all below the Earth to Hell. as free to thee & thine:  
as Ever God gave to me & mine. and that for a Bow-  
& a broad Arrow, when I come to Hunt upon yarrow,  
& for the meir south I bite the white We. with  
my Teeth, before Margrat my wife & Mathe my  
Nurse.

Re Subscribitur

MALCOLM: KANMORE. King,

MARGRAT Wifeto  
Mathe

CHARTER OF POLMOOD



Fleming, as he was unable to be personally present, that Walter Hunter of Polmood up to the time of his decease held his lands of Polmood of the Baron of Oliver Castle, ward and relief, and that the said lands had been in the hands of "Fleming's gransser and fader" from the decease of the father till the entry of the said Walter.<sup>1</sup>

EDWARD "HOWNTER DE POLMOD" served on the jury at Peebles on 22nd December, 1479, for the retour of John Govan of Easter Hopkailzie. There is an entry in the *Acta Auditorum* for December, 1475, showing that Edward Hunter of Polmood had summoned both Sir David Hay of Yester and his son John the Hay of Oliver Castle to determine which was chief baron of Oliver Castle, but he did not appear to prosecute his claim (p. 381). This Edward Hunter was killed about 1502 by Gilbert Tweedie.

He was succeeded by WALTER HUNTER, who gave his bond of manrent to John, first Lord Hay of Yester and Baron of Oliver Castle, his overlord, on 6th April, 1502, following upon which and a resignation of his lands he was infeft in them on 26th April of that year on a precept from Lord Hay; and when the second lord fell at Flodden, he sat on the jury in Peebles on 11th May, 1519, which served his son as heir to him in some Temple lands.<sup>2</sup> Walter Hunter had a wadset from Patrick Dickson about 1523 of the lands of Quarter and part of Glencotho, but he assigned his right to Malcolm, Lord Fleming, who redeemed them. He was among the friends and dependants who were taken under the royal protection in 1536 when Lord Fleming was sent on embassy to France in connection with the marriage of King James V.<sup>3</sup> He married Janet Lauder,<sup>4</sup> who as his widow in 1551 had as part of her terce certain soums of the lands of Glenumphard or Badlieu, which was also a possession of the Hunters at this time, and of which the Tweedies of Drumelzier were the superiors.

On 17th March, 1549, ROBERT HUNTER of POLMOOD, called son and heir of Walter Hunter, younger of Polmood, was infeft in the 4 merk land of Glenumphard on a precept by James Tweedie of Drumelzier, under reservation of the liferent of Janet Dalmahoy,<sup>5</sup> which shows that the first-mentioned Walter had a son of the same name, whose wife this Janet Dalmahoy may have been, and a grandson Robert, who had succeeded to Polmood. This Robert in July, 1552, had a gift from John, Lord Hay of Yester, of the fines due by James Tweedie of Drumelzier for absenting himself from the sheriff courts, but under reservation to the granter of half of the composition received, and to the other members of court of what was due to them. How much he obtained, if anything, does not

<sup>1</sup> *Ibid.* The paper is endorsed "Ane testificatioun that Polmude was haldin of my Lord Yester."

<sup>2</sup> *Yester Papers.*

<sup>3</sup> Reg. Privy Seal.

<sup>4</sup> She was dead in August, 1552, when John Moffat, her son, was executor to her, showing that she had been formerly married.

<sup>5</sup> *Peebles Protocols.*

appear, but it is on record that on 12th July he went to James Tweedie, when they were both at Neidpath, and required of him the fulfilment of an agreement between their deceased predecessors, to which he had only the reply that time and place were not convenient.<sup>1</sup> In July, 1555, he married Katherine Hay (probably of the Smithfield family), for which he had a dispensation from John, Archbishop of St. Andrews, and in view of this marriage made resignation of Polmood at the Castle of Neidpath in the hands of his superior, receiving a new infeftment thereof to himself and his spouse. Similarly he dealt with the lands of Glenumphard; and on 5th March, 1555-6, Thomas Hay of Smithfield and Janet Scott, his mother, acknowledged that the terms of the marriage contract had been fulfilled.

In May, 1558, Sir John Allan took out lawburrows against Robert Hunter, who in January, 1559-60, also came into collision with the burgh bailies, John Dickson, younger of Winkston, and Ronald Scott; he refused them as judges, and on St. Thomas's Day last, used disorderly language to Dickson in the execution of his office, and for this he was tried by an assize and fined.<sup>2</sup> He had also a litigation with the tenants of Glenumphard from December, 1565, until April, 1566, regarding certain "dawarkis" (day services) claimed by him from them, which also seem to have been claimed by Drumelzier. Hunter took the case to the bailies of Peebles, and Drumelzier demanded that the tenants be repledged to his baron court, but Hunter declared that William Tweedie of Drumelzier had threatened his life if he appeared there. Replegiation was refused, and after parole evidence had been heard, the decision as to the rents and carriages due to Robert Hunter was referred to John Hay, Tutor of Smithfield, and William Veitch of Kingside.<sup>3</sup>

Robert Hunter had also dealings with the Hunters of Duddingflat<sup>4</sup> in the parish of Broughton, who seem to have been related. In November, 1557, Matthew Hunter, grandson of the deceased John Hunter of Duddingflat, was infeft in Duddingflat as his grandfather's heir, and he then resigned it in favour of his cousin William, to whom thereupon sasine was given, under a deed of reversion. To this reversion Matthew gave an assignation in the following June to Robert Hunter of Polmood, but in November of 1558 he went through the same process as in 1557, William Hunter being described as "in Langlandhill." Robert Hunter, who acted as a witness on both these occasions, in 1561, on receipt of a sum of money, resigned his right to the reversion, and Matthew and William then appear to have changed lands, for William is styled "of Duddingflat," while Matthew is designed "in Langlandhill." William Hunter<sup>5</sup> may have been the son of John Hunter in Scrogs.

<sup>1</sup> *Peebles Protocols.*

<sup>2</sup> *Ibid.* and Burgh Court Books.

<sup>3</sup> Burgh Court Books.

<sup>4</sup> Now Broughton Knowe (p. 249).

<sup>5</sup> *Peebles Protocols.* William Hunter, son and heir of William Hunter of Duddingflat (deceased), was infeft in Duddingflat in 1583. He married Nicolas, sister of William Inglis of Langlawhill.



Robert Hunter died in 1587. He had a brother John, and at least three sons and one daughter.

1. Michael, who succeeded to Polmood.
2. George, who died without issue, his testament being given up in August, 1594, by his brothers, Michael and James, and mention is made in it of his sister Isabel.
3. James, who was in Hearthstane in 1611, and who had a son Walter, described as in Polmood in 1632.
4. Isabel, mentioned as above.

MICHAEL HUNTER, son of Robert Hunter of Polmood, was witness to a sasine at Easter Happlew on 4th November, 1586, and was served heir to his father in Polmood on 18th January, 1587-8. He married Helen Scott, and had two sons and two daughters.

1. Norman, }
2. Robert, } both of whom were lairds of Polmood.
3. Elspeth, who married Robert Veitch, second son of William Veitch of Dawyck (contract dated 4th, 15th May, 1442).
4. Margaret, who married (contract dated 3rd, 12th, 16th September, 1632)<sup>1</sup> Thomas Naesmyth, son of James Naesmyth of Posso.

NORMAN HUNTER OF POLMOOD was a witness to sasines in August, 1627, and April, 1628, and was a consenting party to the marriage contract of his sister Margaret in 1632, but he must have died very soon afterwards.

ROBERT HUNTER OF POLMOOD, his brother, succeeded, and as laird was admitted a burghess of Peebles on 23rd September, 1633. He was infeft in Polmood on 27th June, 1635. In 1645 he is mentioned as collector for the shire of Peebles, and as an elder in the church of Drumelzier. He had a wadset in 1574 from David Tweedie of his lands of Chapel Kingledoors for 4000 merks, which he assigned to Alexander Williamson, provost of Peebles. He does not appear to have married, but had a natural son, George, born in 1650, to whom on 10th June, 1676, he disposed the lands of Polmood, with remainder to the lawful heirs male of his body. On 7th March, 1683, he denuded himself of his half of the lands of Glenumphard or Badlieu for a regrant in his favour in liferent, and in favour of the said George, in fee, and sasine at once followed. Robert Hunter died in 1689.

GEORGE HUNTER OF POLMOOD was made a burghess of Peebles on 3rd May, 1677, and succeeded to Polmood on his father's death. He obtained letters of legitimation, married (his wife's name not known), and had two sons, Robert and Archibald, who succeeded in turn to Polmood.

ROBERT HUNTER, as younger of Polmood, was a witness in April, 1718, to the marriage contract of Alexander Murray of Cringletie.

<sup>1</sup> Michael Hunter is then mentioned as deceased, and he was probably dead some years previously.

He married Veronica Murray,<sup>1</sup> daughter of Sir David Murray of Stanhope, and inherited Polmood in 1721. On 25th January, 1729, he appears as laird of Polmood, witnessing a disposition by William, Earl of March, at Broughton.<sup>2</sup> He lived till 1744, and died without issue, being succeeded by his brother.

ARCHIBALD HUNTER OF POLMOOD, who is styled second son of George Hunter of Polmood, was the subject of a charge of horning by James Burnet of Barns for a debt on 13th December, 1721.<sup>3</sup> He was served heir to his brother Robert on 26th January, 1747, and 1st March, 1748. He married (the name of his wife has not been ascertained) and died in 1752 leaving one son Thomas who was nine years old.

THOMAS HUNTER OF POLMOOD, the last of the old line, was left by his father under the charge of three tutors, "Lady Polmood" (Veronica Murray, widow of Robert Hunter of Polmood), Alexander Hunter, merchant in Edinburgh, and his son James. These two, Alexander and James, were creditors on the estate; they were not related, in any degree, to the Hunters of Polmood, and in view of their appointment Lady Polmood declined to act. In 1758, Thomas Hunter was served heir to his father Archibald, and the same year he chose as his curators the above-named Alexander Hunter, and a writer in Edinburgh named Deuchars. Shortly thereafter he granted a deed, with consent of his curators, conveying the estates, failing heirs of his own, to the said James Hunter, the son of Alexander. From this deed the signature of Thomas was afterwards torn, whether by accident or design is not known; but when he came of age in 1764 he executed a memorandum (5th December) in which he confirmed the provisions of the deed, and stated that the tearing of his signature was accidental. Thomas Hunter was bred to the law, and apprenticed to a Writer to the Signet. But he was in bad health, and contracted a serious illness, and on 28th January, 1765, executed another deed bequeathing his property to James Hunter and his heirs, whom failing to Alexander (the father of James) and his heirs. Of this illness he died on 20th March, 1765, within sixty days of the granting of the deed. He was predeceased by James Hunter, and the property accordingly passed to Alexander. This state of matters undoubtedly excited the interest of the countryside, and fifteen years afterwards the famous Hunter lawsuit began of which an account will follow.

ALEXANDER HUNTER OF POLMOOD died on 22nd January, 1786, succeeded by his nephew, Walter, the son of William Hunter, a farmer and brewer at Straiton near Edinburgh. He was served heir to his uncle on 8th March, 1787, this service including the lands of Wrae in Glenholm (p. 295), and again on 6th September, 1787, on which date he was a surgeon in the artillery at Guadéloupe. He

<sup>1</sup> She was a half-sister of John Murray of Broughton, who was captured at Polmood while attempting to leave the country in disguise after Culloden.

<sup>2</sup> Barns Papers.

<sup>3</sup> *Ibid.*

# PEDIGREE OF HUNTER OF POLMOOD

C. 1060. NORMAN LE HUNTER OF POLMOOD

Walter Hunter of Polmood = .....

1474 James Hunter of Polmood

1479 Edward Hunter of Polmood

1501 Walter Hunter of Polmood = Janet Lauder

1535 Walter Hunter of Polmood = Janet Dalmahoy

1549 Robert Hunter of Polmood = Katherine Hay (d. 1587)      John Hunter

1586 Michael = Helen      George      James =      Isabel  
Hunter      Scott      Hunter      Hunter  
of Polmood      (d. 1594)      in  
(d. 1617)           Hearthstane  
(d. 1620)

Norman      Robert      Elspeth =      Margaret = Thomas      Walter  
Hunter      Hunter      Robert      a quo the      Naesmyth      Hunter  
of      of      Veitch      Cranstouns of      in  
Polmood      Polmood           Dewar      Polmood  
(d. 1630)      (d. 1689)

George Hunter of Polmood

# EDDIEBRIE OF HUNTER OF POLMOOD

of Polmo, Norway in the year of Polmo.

Walter Hunter of Polmo =

James Hunter of Polmo

James Hunter of Polmo

1501 Walter Hunter of Polmo = Janet Lauder

1535 Walter Hunter of Polmo = Janet Dalmanoy

1587 (d. 1587)

James Hunter in Heartthane (d. 1620)	George Hunter (d. 1620)	Scott Hunter (d. 1620)	James Hunter (d. 1620)
--------------------------------------	-------------------------	------------------------	------------------------

James Hunter in Heartthane (d. 1620)	George Hunter (d. 1620)	Scott Hunter (d. 1620)	James Hunter (d. 1620)
--------------------------------------	-------------------------	------------------------	------------------------

George Hunter of Polmo =

Robert Hunter = Veronica of Polmo Murray (d. 1744)	Archibald Hunter of Polmo (d. 1732)
----------------------------------------------------	-------------------------------------

Thomas Hunter of Polmo (last of the old line)

William Hunter, Straton =



married Lady Caroline Mackenzie, fourth daughter of George, Earl of Cromartie, and dying on 15th January, 1796, left Polmood, etc., and also Crailing in Roxburghshire, to his eldest daughter, Elizabeth.

ELIZABETH HUNTER was born on 9th May, 1775, and married in 1792, at Crailing House, James Ochoncar, eighteenth Lord Forbes, and died on 11th October, 1830, succeeded by her eldest son, James.

JAMES, MASTER OF FORBES, born in 1796, was a Lieutenant-Colonel of the Coldstream Guards at Bayonne and Waterloo, and died without issue in 1835, succeeded by his brother Walter.

WALTER HUNTER, nineteenth Lord Forbes, born 1798, entered the navy, but subsequently joined the Coldstream Guards, and served at Waterloo in command of a company of that regiment in the defence of Hougomont. He was served as heir to his brother on 5th August, 1835, and on 1st September had a precept of *clare constat* from the Earl of Wemyss, the superior of Polmood. In 1847 he sold his Peeblesshire lands—Wrae to Thomas Tweedie of Quarter, and Polmood, which included Badlieu and Tweedhopefoot (p. 385), for £6600 to Houston Mitchell, formerly of Maitland, New South Wales, and then of Trinity Lodge, Edinburgh.

#### THE HUNTER CASE

In 1780 Adam Hunter, tenant of Altarstone—with the assistance of friends, for he was himself poor—took out a brieve to serve himself as heir of line and provision to Thomas Hunter of Polmood, the last of the old line. He led evidence which satisfied the jury, and in 1781 he brought an action to reduce the deed by Thomas to Alexander Hunter, on the ground that it had been granted on deathbed. That action failed (22nd November, 1781), because it was held that his own service was bad.<sup>1</sup> Adam, thereupon, applied for another brieve to serve himself as heir of Robert Hunter, the father of George (illegitimate), using the same links. Alexander Hunter opposed, and showed that the pedigree was wrong, as Adam claimed to be descended from William Hunter, a brother of Robert, whereas Robert had no such brother. That brieve was accordingly abandoned, but the case was not at an end.

In 1802 Adam Hunter appeared on the scene again; he had left Altarstone, and was then residing at Slateford near Edinburgh, and he had been spending the interval in going carefully into his family history. The Kirk Session records, the Sheriff Court books of Peebles, the public registers, and the rental books of the Tweedsmuir estates, had all been laboriously searched; and the result was that he now came forward, claiming on a different and a more elaborate pedigree.

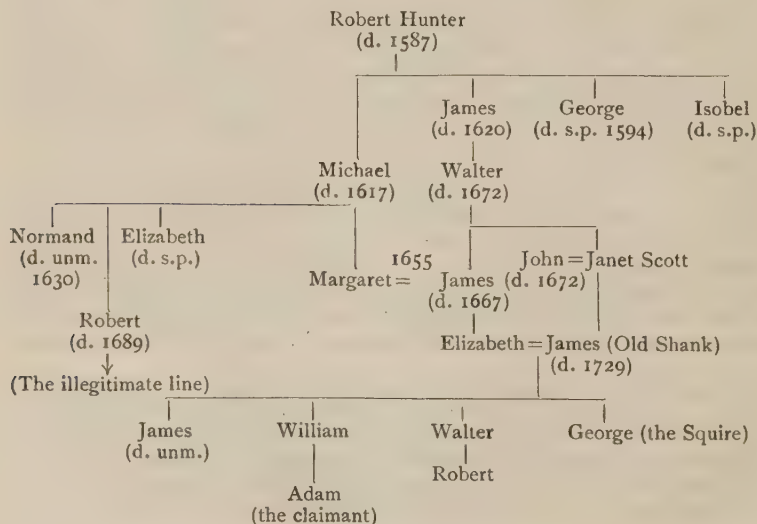
<sup>1</sup> Adam Hunter claimed in that service to be the son of William, who was the son of James (Old Shank), who was the son of William, who was the brother of Robert, the father of George (illegitimate), who was the father of Robert, and of Archibald, who was the father of Thomas. The court held that no legal descent could pass through George, who was illegitimate, even although he had obtained letters of legitimation.

He had ascertained that his great-grandfather was not William, but John, and he now claimed to be the son of William, who was the second son of James (Old Shank), who was the son of John, who was the son of Walter, who was the son of James, who was the son of Robert of Polmood and brother of Michael of Polmood, which Michael was the father of Robert of Polmood, who was the father of the illegitimate George. Proof in this service was taken before a jury at Peebles, and it was granted. There was no opposition. Again Adam Hunter raised an action of reduction, this time against Lady Forbes (Elizabeth Hunter) and her husband, who replied with a counter action for reduction of the service. And again (14th May, 1805) the service was held to be bad, this time, however, on purely technical grounds that the evidence had not been properly placed before the jury, and the Lord Ordinary indicated that a new service might be advocated before the macers. And so, for the third time, Adam failed.

Next year (1806) a new claimant appears—John Taylor, residing at Wanlockhead. He died shortly afterwards, and for a few years no further steps were taken.

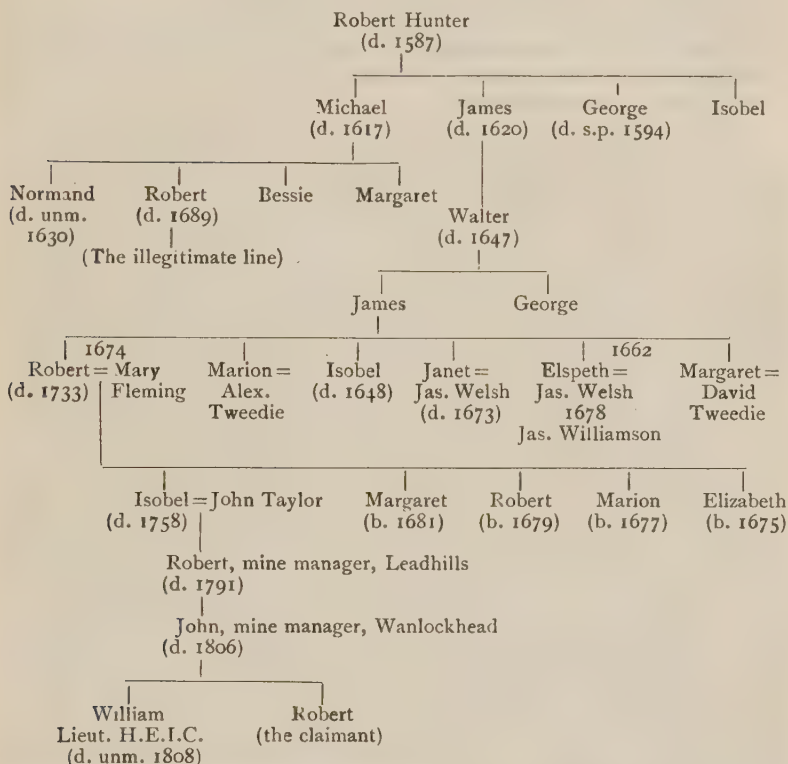
In 1810 Adam Hunter, acting on the hint given by the Lord Ordinary in the previous action, took out a new service. He claimed as before, but his claim was now a three-fold one as the pedigree shows—(1) that Robert Hunter (father of the illegitimate George) was a son of the brother of the claimant's great-grandfather's grandfather; (2) that Robert Hunter was a son of the brother of the claimant's grandmother's great-grandfather; and (3) that Robert Hunter was a brother of the claimant's great-grandmother.

#### ADAM HUNTER'S DESCENT



But John Taylor's son, Robert, tenant at Castle of Sanquhar, also put forward a claim, and his pedigree is also reproduced.

## ROBERT TAYLOR'S DESCENT



These two claims were heard together, and elaborate and tiresome pleadings were lodged, extending to over 300 quarto pages of print.

In Adam Hunter's pedigree interest centred chiefly in his grandfather James, who was known as Old Shank. It was said that he had previously been tenant of Fingland, that he was a Cameronian and attended the field meetings, that during the persecution he had to leave Tweedsmuir, that he then lived in a place called Shank, and afterwards returned to Tweedsmuir, where he built himself a house between Carterhope and Fruid and died in 1721. Old Shank had four sons :

1. James, a packman, who it was said was mentally weak—"Daft Jamie Hunter" he was called: his favourite expression was "Come awa', Polmood," and he called himself laird of Kilbucho

and other estates, because "it was as good to him as if it really were so."

2. William, the father of the claimant, who had been a herd at Polmood.

3. Walter, who was also a herd in Tweedsmuir.

4. George, known as the Squire. He, it was said, had also the "family failing," and attempted to go to Edinburgh to the funeral of Thomas Hunter, as chief mourner, to the horror of Mr. Mushet, the minister of Tweedsmuir.

Taylor claimed through an Isobel Hunter, a child of Robert Hunter—known as Uncle Robert—who was said to be a great-great-grandson of Robert Hunter of Polmood (who died in 1587). Uncle Robert was born in 1651, and married Mary, daughter of Mr. Patrick Fleming, minister of Stobo; he was tenant of Craig Kingledoors and Hearthstanes, but was turned out of these places because he refused to conform to prelacy. Afterwards in Stanhope for a time, he went to Abington, and spent his later years at Polmood and Hearthstane. His sister Margaret married David Tweedie of Chapel Kingledoors; and another of his sisters, Marion, married David Tweedie's brother Alexander. His niece Margaret Tweedie occupied Hearthstane—the "gudewife o' Herstanes"—and looked after him in his declining years; she was twice married, to a Murray and then to a Welsh.

Uncle Robert, it was claimed, was on intimate relations with the Polmood family. It was said that he prevented by force the laird from joining the Jacobite rising of 1715, and that on his death Lady Polmood "made and helped on" his "dead clothes." A wonderful dog belonged to him, called Algiers, who ran errands for his master even to Edinburgh and back, swam the Tweed and brought back tobacco from the Crook, and, when his master was at Woodend, went to Lamington, three miles away, for snuff, with the money tied in a napkin round his neck. From this remarkable animal a fleece was cut every year, sufficient to make a pair of stockings. Uncle Robert died at Hearthstane in 1733. His daughter Isobel married John Taylor, a miner—"Old John" he was called, for it was said that he was 130 when he died.

To the proceedings for the service of Adam Hunter and Robert Taylor, Lady Forbes objected, but unsuccessfully, because she did not and could not make any claim herself to be heir at law of Robert Hunter. The assessors to the service were Lords Meadowbank, Newton and Robertson, and of the jury of fifteen appointed to consider the evidence, seven were nominated by Hunter, seven by Taylor, and one by the assessors. The jury were composed of seven advocates and eight writers to the signet. After hearing evidence, the claim put forward by Taylor was rejected, and with regard to Hunter's three-fold claim, the first was sustained by 12 to 3, the second by 11 to 4, and the third was rejected by 9 to 6.

And then, for the third time, Adam Hunter, now over eighty years of age, brought an action in 1811 to reduce the title to Polmood by



which Lady Forbes held, claiming on the law of deathbed, and also on the clause of return in the entail by Robert Hunter to the illegitimate George. But that claim was never investigated by the Court, for Lady Forbes again brought a counter action that his service was not valid, as the proof of the different links, although it had satisfied the jury, was not sufficient; and she contended that her action must be dealt with before the question of reduction of title was discussed. This contention was upheld on 8th July, 1812, when the Second Division of the Court of Session decided by a majority (Lord Robertson dissenting):

“ that the discussion of Lady Forbes' process of reduction of Adam Hunter's service is preliminary to his challenge of Lady Forbes' title under which she is in possession.”

Possession in this case was truly nine parts of the law. Again elaborate pleadings were lodged by Adam Hunter in defence of his service, and these were replied to at great length by Lady Forbes. There is no doubt that the information which had previously been prepared by Robert Taylor in support of his own pedigree and in criticism of Hunter's was a material advantage to Lady Forbes in preparing her own case. Hunter's weak link was Old Shank: it was suggested that he was illegitimate, or at any rate that although John Hunter had undoubtedly a son James, who was in Finland, it had not been proved that he was Old Shank; and what told rather heavily against Hunter was that in his first brief for service he had claimed that Old Shank's father was William, and not John, a claim which had been supported by the sworn testimony of half-a-dozen witnesses.

On 18th January, 1814, the Court reduced the service. Hunter appealed to the Second Division, and they on 5th July adhered, and by a majority refused the appeal. Lord Bannatyne was in Hunter's favour, but he was the only one; Lord Robertson was against; the Lord Justice Clerk, although he had doubts, thought that James Hunter, the son of John, had not been identified as Old Shank; and Lord Meadowbank was plainly influenced by Hunter's first service. That was the end of the story. Lady Forbes remained in possession on a title, which was undoubtedly questionable, but which by that time had been fortified by prescription. No other claimant, after Adam Hunter, could come forward.

#### MITCHELL OF POLMOOD

As we have seen (p. 457), Houston Mitchell purchased Polmood (along with Badlieu and Tweedhopefoot) in 1847. He erected a new dwelling-house<sup>1</sup> at Polmood, and in 1873 acquired the lands of Glenbreck. In 1877 he executed a disposition and deed of entail to Livingstone Frederick Mann, his grand-nephew, and others, but

<sup>1</sup> The ruins of the old house were still in existence when Chambers wrote (*History*, p. 426).

by a codicil made the following year he appointed his nephew, Richard Blunt Mitchell, as institute of entail.

Richard Blunt Mitchell disentailed the lands in 1883, and in 1887 acquired from James Tweedie of Quarter a small part of the lands of Kingledoors (.313 acres) to serve as an access to Polmood House from the highroad. Glenbreck, Badlieu and Tweedhopefoot he sold in 1889 (p. 387), and in 1894 he sold Polmood itself to Mitchell Thomson, afterwards Sir Mitchell Thomson, Baronet, Lord Provost of Edinburgh.

In 1917 Sir Mitchell Thomson sold Polmood to the present proprietor, Sir William Milligan, an eminent surgeon in Manchester.

The present rental is £361 15s. 6d.

### KINGLEDOORS

These lands, lying on the west side of the river Tweed, are bounded on the north by Glencotho and Mossfennan, on the east by Polmood, on the south by the lands of Crook, Oliver, and Glenbreck, and on the east by Lanarkshire, the boundary there running along a high ridge between Glenwhappen Rig (2262 ft.) and Coomb Dod (2082 ft.).

Kingledoors formed part of the barony of Oliver Castle (p. 379), of which the earliest proprietors were the Frasers. When Sir Simon Fraser was killed in 1306, the barony was divided between the Hays and the Flemings, and the division in regard to Kingledoors seems to have been that the lands on the north side of the burn, known as Craig Kingledoors, became the property of the Hays, and the lands on the south side the property of the Flemings. These lands on the south side were divided, the part at the foot of the burn being called Chapel Kingledoors, and the other part Kingledoors Hope or Over Kingledoors.

#### (a) CHAPEL KINGLEDOORS

Christin, hermit of Kingledoors, was a witness to the adjustment of the marches of Stobo (1208-1214). Later, but before the end of the thirteenth century, this hermit's cell became a chapel dedicated to St. Cuthbert, and along with the adjacent lands called then South Kingledoors, and also with Hopcarton (p. 433), was granted to the monks of Melrose by Sir Simon Fraser. The original grant is not in existence, but it was confirmed between 1291 and 1306 by the granter's son, the last Sir Simon Fraser of Oliver,<sup>1</sup> and its nature may be gathered from an indenture entered into in 1395 between the

<sup>1</sup> *Liber de Melros*, p. 318, No. 355. The charter is quoted in full in Renwick's *Historical Notes*, p. 301.

Abbot of Melrose, Sir Thomas de la Hay<sup>1</sup> and Sir Malcolm Fleming. According to that, it appears that Sir Simon Fraser had made the grant in return for the saying of masses in memory of his family at the altar in the monastery of Melrose, and also by the monks at Kingledoors. This *reddendo* had been more honoured in the breach than by the observance, and the indenture stipulated that the lands would be liable to distraint unless the prescribed services were duly rendered.<sup>2</sup> But a controversy continued concerning the repairing and upholding of the chapel and the finding of a priest by the monks of Melrose to celebrate divine service, and by the year 1417 Sir Malcolm Fleming was thoroughly tired of it, as his claims were always contradicted or denied. Accordingly in that year, Malcolm "for the good of peace and by the prompting of divine charity" abandoned any right which he had in the chapel "from the beginning of the world to the end of time," and left the monks to do as they would.<sup>3</sup>

After that the position is rather obscure. The monks claimed the lands, but no clear distinction seems to have been drawn between Chapel Kingledoors and the adjoining lands of Over Kingledoors, which belonged to the Flemings. After the Reformation, Francis, Earl of Bothwell, had a charter from the Commendator of Melrose, and on 21st April, 1567, he granted Chapel Kingledoors to John Somerville of Cambusnethan, Katherine Murray his wife, and their son John, for the "old rent" of 12 merks and 20s. of augmentation. The Tweedies of Drumelzier<sup>4</sup> were then occupying the lands along with Over Kingledoors, and Somerville warned them to remove. On Bothwell's forfeiture, the superiority passed to Michael Balfour, Commendator of Melrose, who on 2nd April, 1558, granted a charter of lands which included Hopcarton and Kingledoors to Alexander Balfour of Denmylne, who in 1573-4 confirmed Somerville's right of possession. In 1585, Somerville made over the lands to John, sixth Lord Fleming, who became first Earl of Wigtown, and who acquired in 1620 the superiority on the resignation of Thomas, Earl of Melrose, the feu-duty being 13½ merks (£9).

In the meantime the Tweedies had continued as tenants of the lands. Adam Tweedie was there in 1573 and later, and also his brothers, Walter, William, Thomas and John. In 1637 Alexander Tweedie, tenant of the west side of Hearthstane, acquired the property, and on

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<sup>1</sup> As Hay was a party to this, it might be inferred that he was joint overlord along with Fleming.

<sup>2</sup> Yester Writs.

<sup>3</sup> *Liber de Melros*, p. 524, No. 527. The deed is quoted in full in Renwick's *Historical Notes*, p. 304. The monks had nothing to learn in the framing of renunciations by lay proprietors.

<sup>4</sup> In 1555 William Tweedie of Drumelzier had several transactions with John Swan, the miller of Drumelzier, relative to the occupation of Chapel Kingledoors (*Peebles Protocols*).

31st July received a Crown charter to himself<sup>1</sup> in liferent, and his son John in fee, of Chapel Kingledoors and also the half of Over Kingledoors, on the resignation<sup>2</sup> of John, Earl of Wigtown, and others, the feu-duty being 13½ merks. John Tweedie, the son, in 1668 resigned the property to his brother David (who married Margaret Hunter,<sup>3</sup> of the Polmood family) under burden of a debt of £5000 to Adam Murray of Cardon. David Tweedie during his time mortgaged the property to the Williamsons of Cardrona, but redeemed it again. He had several children, and was succeeded by Robert Tweedie (died 1711), whose son James was served as his heir in 1712.<sup>4</sup>

#### (b) OVER KINGLEDOORS OR KINGLEDOORS HOPE

This part, adjoining Chapel Kingledoors in the south and west, passed, as has been noticed, from the Frasers to the Flemings. By an excambion in 1470 one half became the property of the Hays of Yester, and apparently is now included in the lands of Crook (p. 381). The Flemings continued as owners of the remaining half, and in a roll of the head court of Peebles, undated but probably compiled early in the sixteenth century, Lord Fleming is entered as owner of the half of Kingledoors,<sup>5</sup> and in an infeftment of Malcolm, third Lord Fleming, and his wife Janet Stewart (a natural daughter of King James IV.) in 1537 the property is described as a three merk land. Malcolm, third Lord Fleming, was killed at Pinkie in 1547, and his son was infeft in 1549. For at least fifty years before this Over Kingledoors was occupied, along with Chapel Kingledoors, by the Tweedies, and there is record of a tack in 1498 for £10 yearly by William Fleming of the Bord to John Tweedie of Drumelzier.

In 1637, John (Fleming), Earl of Wigtown, resigned his half of Over Kingledoors, along with Chapel Kingledoors, to Alexander Tweedie and his son, after which the two properties, as before stated, were held by the Tweedies.

#### (c) CRAIG KINGLEDOORS

This was the north half of Kingledoors: it passed from the Frasers to the Hays of Yester, and from the main line of that family it passed to the Hays of Talla (p. 410). In 1468 the lands of Talla and Kingle-

<sup>1</sup> He had also a daughter Agnes, who married Thomas Hope in Over Oliver.

<sup>2</sup> The resignation was to the Tweedies as assignees of Sir David Murray of Stanhope (*R.M.S.* ix. No. 770).

<sup>3</sup> Sister of "Uncle Robert" referred to in the Hunter case (p. 457), who was himself for a time tenant of Craig Kingledoors.

<sup>4</sup> The tenant during the latter half of the eighteenth century was Robert Laidlaw, who married Elizabeth, a sister of Walter Williamson of Chapelhill (vol. ii. p. 321).

<sup>5</sup> This may mean one-half of Over Kingledoors, but it is probable that Lord Fleming also claimed rights over Chapel Kingledoors.



doors are mentioned as liable for payment of the terce of Annabel Boyd, mother of Sir William Hay of Talla, which terce had formerly been paid from Wester Haprew, resigned by Sir William to John, Master of Yester.<sup>1</sup> The superiority of Talla and Craig Kingledoor had been reserved by the Hays of Yester, and in 1512 John, Lord Hay of Yester, granted a charter of them to William Hay of Talla, on the narrative that they had belonged to the said William but had been "recognosced" in the King's hands as a tenandry of the barony of Oliver Castle, that the fines had been paid, William Hay contributing his share, and that the barony had thereafter been restored.<sup>2</sup> In 1541 Andrew Hay, son of William Hay of Talla, was infeft in a quarter of Craig Kingledoor under reservation of the liferent of his father and the terce of his mother, Janet Spottiswoode.<sup>3</sup> In July, 1552, Lord Hay allowed James Tweedie of Drumelzier and Patrick, his son, to occupy his "Steding of Kingildurris," but this may have been the half of Over Kingledoor which the Hays acquired in 1470 (p. 381), as David Welsh appears as tenant of Craig Kingledoor from 1555 to 1573. This David Welsh acts as bailie on 15th May, 1567, when John Hay of Talla took infeftment at 5 a.m. as heir to his father William in Craig Kingledoor and Talla.<sup>4</sup> In 1580 John Hay of Talla resigned his lands of Talla to William, Lord Hay of Yester, but retained his lands of Kingledoor, which passed in 1585 to his son William, who was then infeft therein; and among the witnesses to the infeftment were William Welsh in Craig Kingledoor, his son John Welsh in Over Menzion, and Walter Tweedie in Chapel Kingledoor. From this infeftment there was excepted a quarter of the lands possessed by Mr. Andrew Hay (brother of William), rector of Renfrew, and he about 1590 made it over to his brother, who was then styled William Hay of Wyndene,<sup>5</sup> and who thus became proprietor of the whole. In 1596, on a precept by James, Lord Hay of Yester, William Hay, then designed "of Linplum," was infeft in Craig Kingledoor as heir to his father, John Hay of Talla, a witness being William Welsh, the tenant.

In 1600 there appears as a witness to a deed John Tweedie of Craig Kingledoor, and in 1618 he is again referred to as "of Kingledoor." He may have been the father of Alexander Tweedie, who, as we have seen, obtained, with his son John, in 1637 a Crown charter of Chapel Kingledoor and the half of Over Kingledoor. But no deed has been traced showing that John Tweedie was ever infeft in Craig Kingledoor, and the designation "of" may be a mistake for "in." It seems clear that the Hays continued as owners, and about 1670, in the time of John, ninth Lord Hay and second Earl of Tweeddale, instructions were given to have the marches between Craig Kingledoor and Chapel Kingledoor defined.<sup>6</sup> In

<sup>1</sup> Yester Writs.<sup>2</sup> *Ibid.*<sup>3</sup> *Ibid.*<sup>4</sup> *Ibid.*<sup>5</sup> *Ibid.*

<sup>6</sup> From an undated entry in Lord Tweeddale's memorandum book referred to in the pleadings in the Hunter case.

1686 he transferred Craig Kingledoors to his brother, William Hay of Drumelzier.<sup>1</sup>

(d) THE WHOLE PROPERTY

We have seen that the Tweedies were proprietors of Chapel Kingledoors and one half of Over Kingledoors in 1712, and that Craig Kingledoors was acquired by William Hay of Drumelzier in 1686. William Hay before his death acquired from the Tweedies their share, and his son Alexander in 1736 had a Crown charter of the whole property.

The Hays of Drumelzier (p. 432) were owners till 1814, when William Hay of Drumelzier and Whittinghame sold it for £15,500 to Alexander Campbell of Hallyards (p. 612), whose trustees in 1821 sold it for £16,000 to George Gillespie of Biggar.

In 1831 George Gillespie sold Kingledoors for £15,000 to Sir George Montgomery of Macbiehill, Baronet (p. 491), whose trustees in 1832 transferred it for the same sum to the Rev. John Isaac Beresford of Macbiehill. He, in 1845, sold for £17,400 to James Giles of Kailzie, who in 1860 sold to James Tweedie of Quarter for £25,000.

James Tweedie's trustees in 1897 sold Kingledoors for £16,150 to Walter Stuart, who had been in occupation for a time as tenant, and on his death in 1905 the property passed under entail to his eldest son, Captain John Stuart, of the Mercantile Marine. Captain Stuart died in 1910, and his youngest son, Walter Stuart, is the present laird.

The rental of Kingledoors is £595.

<sup>1</sup> *Part. Reg. Sas.*

## CHAPTER VIII

### THE PARISH OF STOBO

#### I

OF the name Stobo there are eighteen<sup>1</sup> different spellings of which the earliest<sup>2</sup> is STOBOD (A.D. 1116-1125). The present form was in use by 1473.<sup>3</sup> Characteristic variations like STOBHOPE (1208) and STOBHOWE have suggested that the name may mean 'The Hollow of Stumps',<sup>4</sup> as if from the charred trunks after a forest fire, or from the wrath of first cultivators having to stub out the roots. It has been translated 'Thorn Dale' from the imagined effulgence of the native hawthorns', blackthorns', buckthorns' greeting to early cleric visitors. But such derivations may be little better than the old schoolmaster's *Sto*, Lat., I stand, and *Beau*, Fr., Beautiful. The two syllables of STOBOD like such neighbour place-names as Dreva, Dawyck, Happrew, may have a Celtic or Saxon significance quite alien from the Scoto-English sounds.

Originally Stobo comprised the whole region from the Wells of Tweed down to the confluence of Tweed with Lyne Water. The growth of the parochial system delimited now one parish then another—Tweedsmuir, Drumelzier, Glenholm, Broughton, Dawyck,<sup>5</sup> Lyne—and left the *plebania*, the mother parish, within its present narrow boundaries. Not so narrow, however, as to justify the

<sup>1</sup> *Origines*, p. 196.

<sup>2</sup> Inquisition by Prince David.

<sup>3</sup> Stone Monument in Stobo Church.

<sup>4</sup> Chambers: *History of Peeblesshire*.

<sup>5</sup> This parish was suppressed in 1742 and the lands were apportioned between Stobo and Drumelzier.

tourists' jibe that there is room for nothing but the three R's—road, railway and river. The parish, stretching up side valleys and over uplands of pasture, forest and heather to beyond the skyline north of Tweed, has a breadth of about  $5\frac{3}{4}$  miles to 7 miles in length. The area is given as 10,309 acres.

The mean elevation of the parish is high—the church and post office are 600 feet, Easter Happrew 700, Stobo Castle 750, Dreva 800. It may be noted for comparison that the height of Arthur's Seat (Edinburgh) is 822 feet. The hills are many but of no great eminence. The highest, Pyked Stane is only 1872 feet. Where the lower heights excel is in the sonorous dignity of their ancient names—Penvalla, Penvinney, Trahenna, Dromore.

The earliest vestiges of the life of man in Stobo are the five circular camps—now almost faded from the landscape—at Muirburn, Dreva, Kersknowe, Hog-hill and Torbank. Unlike the Roman camp at Lyne, they are distinctly British and may have been here centuries before the Romans first saw Tweed. Neither are they camps. They were forts, but only as every cluster of houses had to be a fortress then. It is likely that they were just the pristine villages built and intrenched high enough above river and marsh to suffer neither from floods nor from the unobserved approach of an enemy. Kersknowe—probably Caerknowe, Fort-hill—seems to have been our largest town. Its spacious circumvallations still evince where most of the parishioners of Stobo sheltered before the dawn of history. The great difficulty of this, as of every theory of their ever having been inhabited, is the amazing fact that in not one of them is there any spring or any trace of a well. To Kersknowe, for example, all the water apparently must have been carried up the long steep slope a couple of furlongs from, at nearest, the spring above Easterknowe farm. It may be that our forebears were more expert than we imagine in the art of finding water and more abstemious in its use. But so far as one nowadays can reconstruct the situation, the water supply, however stinted, must have entailed constant toil in peace—and in war a recurrent heroism to rival that of David's mighty men fetching water "from the Well of Bethlehem which is by the gate."

## II

"That ditch Tweed!" Romance and "the tales of a grandfather" had in the expectant imagination of a young Scot-American equalled the river of the Scottish Border



with the Amazon. But, small though it be, Tweed here, as in all its reaches, whether overarched with trees or "gliding the bare hills under," whether hurrying along in sweeping current and sparkling ford or loitering in the deep Bummel Pool where of old lived the water kelpie, owns a peculiar, almost a personal grace, not only delighting eye and ear, but enchanting the inner sense with a charm beyond the genius of artist to depict or of poet to express.

Frequent floods used to inundate and devastate the meadows until about 1850, when the river was embanked with a stone dyke and sloping earthen ramparts from below Crownhead to Burnfoot. Sir Graham Graham Montgomery, who had this done, took great pride in it. Regularly on his return from London his first walk was along the embankment to make sure that no rabbit burrows or dilapidation threatened its stability. The normal floods at Lammas, Yule, and so forth have been largely abated by Talla Reservoir retaining enough of the surplus rainfall to keep spates in moderation. Only after a wet season like 1920, when Talla is already full, is there any great flood on this reach of Tweed.

Salmon poaching on winter nights with torch or lantern and leister (a three-pronged barbed fork) or Carlisle Fly (a lump of lead bristling with large hooks to be jerked into the fish when it is lying fascinated by the light) used to be so common that Sir G. Graham Montgomery, when asked if there were any salmon poachers among the people on his estate, said they were all poachers but two: "The minister of the parish, they say, never poached; and I have given it up." The sport, for sport it may be called, since on occasion it diverted The Ettrick Shepherd and his friend the Shirra himself, has just that spark of adventure which makes it a mighty lure for boys brought up on Tweed. The hazards are considerable. The take is neither "bonnie fish nor halesome fairin," and it is wasteful inhumanity to kill a fine creature in its breeding season.

Trout fishing once upon a time was good here. The old soutar, Robbie Hope, who lived in a half of the Crownhead Cottage, is said to have justified any evening the description

in the *Noctes* of a successful angler: "Creel fou, pouches fou, and a lot o' great muckle anes hangin' on a string." But baskets now are seldom good until in town next week. Trouting was ruined by the intelligent miners. For scientifically exploding a dynamite cartridge or two in a pool, they were rewarded by every trout in that pool drifting down to their net ready for the fishmonger. Against this sort of thing the riparian proprietors, combining in 1908, closed the water except to holders of permits, and employed a watchman, who has been on duty ever since. Sport in some measure has improved. But what with the drainage and reclamation of back-water marshes, the long depletion, the ladling out of gravid trout voracious when the waters are rising in autumn floods, the otters, the herons, the graylings gluttonous of limited rations, the old bull trout turning cannibal, and all the other ills that trout flesh is heir to, much water will get over the Sheriff's Ford before our reach of river regains its old time plenty.

Tweed<sup>1</sup> was completely frozen over in the ten weeks frost which began about the New Year 1895, and curlers had a game on the river—the bachelors being sent on first to make sure that the ice was bearing.

### III

The bridge over Lyne Water at Lyne Toll, "a stone bridge with three arches,"<sup>2</sup> was so dilapidated in 1715 that three years later it was replaced by the present bridge built out of the vacant stipend of Peebles parish. Soon after this entrance to Stobo on the east had been secured, the exit on the west was expedited by the building of the bridge over Biggar Water at Dreva Craig-end. Presently the Harrow burn beside the kirk was bridged. It was

<sup>1</sup> There flow into Tweed: from the right bank, the Lour, a boundary between Stobo and Drumelzier; from the left, the Stobo (East-town) burn, the Harrow (West-town) burn, and the Cloy, formerly called Polternam, which Professor Veitch said was "a fine flowing name"; and into Lyne Water, the boundary between Lyne and Stobo, the burn of Wester Haprew.

<sup>2</sup> Pennecuik.

repaired in 1778 "for access to Church and School" at a cost of one shilling. After the completion of the Castle—perhaps about 1815—a bridge was built over Stobo burn; and thus, not much more than a century since, the ordinary convenience of an unbroken highway through the parish, clear above miry hollows and flooded fords, was put on a solid basis.

Over Lyne the Five-Mile Bridge was in process in 1775 "on the new road leading from Peebles to Glasgow";<sup>1</sup> the Beggar-Path Bridge, being part of Montgomery's new route over the Meldons to Edinburgh, dates from about 1825.

But Tweed in Stobo was bridgeless as The Bible until the builders of the railway, 1864, closed the Crown Ford and erected at the Crownhead,<sup>2</sup> a bow-string iron girder bridge. Insecure for heavy traffic, it was replaced by the present cumbrous reinforced concrete structure begun in 1913, interrupted for the war, and finished in 1921. There are besides two wire-suspension footbridges, one at the Sheriff's Ford and one opposite the station; a footbridge at the Willow Crook, and two wooden farm-service bridges, one for Easter Dawyck, the other at Dawyck Mill—the latter being put up in 1917 by and for the German prisoners of war encamped at the Lour.

## IV

"There is a road," wrote Armstrong in 1775, "called Stobo Hedges justly execrated by every traveller where

<sup>1</sup> Armstrong, and *First Stat. Acct.*

<sup>2</sup> Here long stood an Inn and Boathouse with the sign of the Crowned Head. A traveller had the right to be ferried across for a ha'penny; but unless he looked or promised to be worth more than the legal fare, he might be required to wait for company: "Ferry-men appear to have been an especially knavish class" (Hume Brown, *Hist. of Scotland*). A brawl in the lonely old ale-house, in the course of which one of the brawlers came by a fatal wound, led to the suppression of the licence. As a boat-house it continued under the old sign until the railway and its bridges abolished both ford and ferry. Here next were the parish shoemaker's house and shop; until that phase of supply and demand also passed away and the present trim cottage nestled down among the beeches.

difficulty in passing for a mile and a half through a continued mass of mortared earth, confined between two hedges is truly pitiable." This public nuisance, however, he adds, "is now likely to be remedied." It was remedied forthwith. The hedges<sup>1</sup> themselves were spared; but between them a first-rate road, on Macadam's then novel system, was constructed for the Lord Chief Baron's frequent visits to his new estate. Along this road, prior to railway facilities, a waggoner working his way through fair and foul once a week between Peebles and Tweedsmuir, supplied the sole public conveyance to and from the parish.

Right-of-way continues in the old 'Thief's Road, which, after passing through Manor, comes by one of its branches over the east shoulder of Scrape and enters Stobo at the Deid Wife, an opening in the boundary dyke where, according to tradition, an Irishwoman, fleeing with her husband from the battle of Philiphaugh, was overtaken and along with her husband killed by Leslie's troopers. The trail, winding down past the Lour, meets "the old thoroughfare between east and west."

Here halt a moment and note that the "old thoroughfare between east and west" seems to have proceeded from Peebles over the Sware, up Manor, over the Glack,<sup>2</sup> down to the peel tower which stood at Easter Dawyck, and thence along by the still evident right-of-way and open lane above Dawyck Mill, past Dawyck Kirk, below Tinnies, and on over Tweed at Drumelzier Ford. By this unlevelled and hindersome highway<sup>3</sup> Montrose and his surviving cavaliers, fugitive from Philiphaugh (13th September, 1645), with Sir John Dalziel as guide, rode so early on the morning after the battle that passing through Biggar they had crossed the Clyde by break of day.

<sup>1</sup> During the absence of the foresters at the war, these hedges, unpruned of their young wood, burgeoned into memorable beauty of may-flower, briar-rose, and coral barberry. But this luxuriant overgrowth, like our inflated paper-money prosperity, has had a severe reaction in having to be cut back bare to three feet high, with doubtful prospect of survival.

<sup>2</sup> Chambers, p. 434. It sounds more indirect than it is.

<sup>3</sup> *Tradition*, by Sir G. Graham Montgomery. Cf. Wishart, p. 205; Napier, ii. 605.



Return now to the Thief's Road. After crossing "the old thoroughfare" above Dawyck Mill it forded Tweed and coincided with the present main road eastward. Before going over Lyne Water at the point where the Beggar Path Bridge now stands, it owned a resting-place, a sort of Mumper's Dingle, where from time immemorial wanderers assumed the right to encamp: it is only a dozen years or so since this was enclosed and planted. Thence the track wound on by Lyne and Linton through the Cauld Stane Slap into Midlothian. Besides being the Thief's Road, "the usual pass<sup>1</sup> of that formidable banditti, the Moss Troopers," it was the regular route for shepherds and drovers going to markets and trysts as well as for smugglers, pedlars and all wayfarers to and from the south west. "The king might come the cadgers' road."

## V

When Stobo first appears in the written records, the proprietors of the land were in some degree proprietors also of the tillers of the soil. But already such rights of ownership were becoming questionable. This comes out in a charter<sup>2</sup> of date 1225 by which the new laird of Stobo, the Bishop of Glasgow, acquired from Mr. Adam "whatever right we had in Gillemil, son of Bowein, and his son Gillemor, and Buy, and Gillys, son of Eldrid, quitclaimed for ever to the foresaid Bishop and his successors." The acknowledged indefiniteness of the claim "whatever right we had" indicates the rising apprehension of man's right to liberty. This continued to rise so steadily that the agricultural labourer attained his freedom centuries before his brothers in the coal-mines (1799)<sup>3</sup> attained to theirs. By the beginning of the sixteenth century<sup>4</sup> the land was let to tenant farmers usually in small holdings of "ane ox-gang," about 13 acres, sometimes of two or three, very rarely of so much as four ox-gangs. The dwelling-houses and "steadings" of these crofts, instead of being dotted about each on its own little plot, were grouped together for economy and mutual protection in "towns" whence the farmers radiated to their work. Half-a-dozen such holdings were ranged round Easter Town Knowe and as many more about the Harrow.

The lease was in most cases granted for life, and succession was nearly always continued in the family. The usual cause of a change

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<sup>1</sup> Armstrong.

<sup>2</sup> *Regist. Glasg.* No. 129; *Renwick: Historical Notes*, p. 104.

<sup>3</sup> Hume Brown's *History of Scotland*, iii. p. 349.

<sup>4</sup> *Diocesan Register of Glasgow* (1511-1566).

of tenant is: "Wacand be the decesse of hys fathyr," "Wakand be the decesse of hys modir" or "be deces of his bruther." Two brothers might be in partnership, as in 1545 were James and Thomas Johnstone for the Mill and Mill lands—one belike as farmer, the other as miller. Often a woman was tenant. In 1539 "Mareon Pruves is rentallit in ane oxgang of land vacand be the decesse of hyr fadyr and consend of hyr modyr." Katryn Curry, Margret Dixon and Agnes Johnstone worked their own farms. It was a hereditary valour which, in the absence of the men during the late war, enabled the women to "carry on" so sturdily. A widow might not only continue in her husband's farm, but, after proper procedure, might call in a second husband to her comfort: "Gevin our licence to Malie Stewart to marie and to bruk the oxingang of land that hyr husband deit in rentall of notwithstanding our statutes in the contrar" (1555).

The term oxgang reminds us that not very long ago ploughing was done here by oxen. So recently as the end of the eighteenth century it was argued by the minister of the parish in the first *Statistical Account* that where the land is "cross and stoney," oxen do better in the plough than horses, being less expensive, less restive, and "able to continue in the yoke two hours longer." The old practice, however, disappeared like the kilt before trousers when the masterly and beautiful equipment of the modern two-horse plough enabled the ploughman without assistant,<sup>1</sup> whip, or goad both to hold the plough and guide the team.

Other land measures mentioned in the records affecting Stobo are:

- "a sax schilings three penny land,"
- "a twelf schilings sax penny land,"
- "a saxtene schilings awcht penny land."

One entry has a fine jumble of Latin, French, Cockney, and Scots:

"1511 Robertus Zong rentalizatur in una bovata videlicet ane hoxgang terrarum de Stobo."

Eight ox-gangs made one 40s. land (104 acres). Brownsland near Wester Haprew is short for Brown's forty shilling land.

Four 40s. lands made one Davach (Dawyck)—416 acres.

Through the steadily improving organisation of industry, small holdings—with the bondage of the small-holder's self, wife, and children to the small-holder, and the expense of about as much time at ins and outs as for the actual ploughing of the diminutive rigs—became obsolete as the ox-plough. That was before there was an agricultural labourer's vote for politicians to palter with. By the beginning of the nineteenth century farms large enough for economic management had become general. About that time the farmer of Easter Haprew was Charles Alexander, one of a family which has farmed land in Stobo for four hundred years. An ancestor of his in 1537 was "rentallit in ane ox gang land callit Bullis Croft," and

<sup>1</sup> Called the gaudsman: Burns, *The Inventory*.

to-day the name of one of his descendants is in the lease of Easter Happlew. This Charles Alexander is noted in *The View of Agriculture* <sup>1</sup> for having "inclosed and subdivided with stone dikes and brought into high cultivation . . . no less than 120 acres of arable land." Similarly, the then minister of the parish awards himself the credit <sup>2</sup> of having "inclosed the most part of the glebe with stone walls and quick-set hedges at his own expense." These walls seldom strike us otherwise than as having grown up by themselves like mushrooms. Far more than we realise are we indebted to the old-time farmers for the immense labour they devoted to clearing the boulders off the fields and building those endless lines of dry-stone-dykes which have done almost as much as drainage for the benefit of agriculture.

At present the parish is worked under eight farms, all on a nineteen years' lease—the total annual rent being £2,703 8s. 1d., some advance on the £12 6s. 8d. (p. 492) paid to Edward I.

The numbers of live stock are now: sheep 5,530, an increase (since the year 1800) of 330; cattle 233, an increase of 43. Horses, now 57, show, because of rail and motor traction, a decrease of 24. Pigs, from none in the last quarter of the eighteenth century and perhaps forty in the last quarter of the nineteenth, are now twelve.

Although the soil is in general light and gravelly the crops are fair and, in a year of generously regulated rainfall, good. The rainfall varies from 35 to 45 inches per annum. The average fertility may be set at  $4\frac{1}{2}$  quarters grain, 7 tons tubers to the acre. The principal crops are oats, potatoes, turnips, and hay. Occasionally a few acres of barley are sown. Rape also is an occasional crop. Lint, which was once extensively grown—there was a lint-mill near Lyne Toll Bridge—ceased with the practice of using it as thatch.

## VI

Next to pasture for sheep the principal product of the parish is timber. Where Pennecuik in 1715 found only "some few bushes of trees about the houses of the gentry and not one wood worth naming in all this open and windy

<sup>1</sup> Findlater (1802), p. 107. Mr. Alexander had security of tenure under a three-nineteens lease from 1788.

<sup>2</sup> First *Statist. Account*.

country," sixty years later, when Dr. Johnson's walking stick was the finest piece of timber in Scotland, and where therefore of course he lost it, Armstrong notes the growth of "extensive plantations which to a succeeding generation may afford no small degree of profit and pleasure." Since then forestry has been developed with diligence and success. In 1882, Stobo Manse was so densely shrouded with trees that Robert Louis Stevenson, who meant to spend a summer there found a fortnight of it more than enough. When a gap in the lime-tree avenue was made by a gale in the eighties, the blown trees were shored up by Lady Graham Montgomery's directions, and being mounded round with earth and boulders, they are as stately to-day as their undisturbed comrades. Here are many grand individual trees, conspicuous clumps and far extending woodlands.

Besides the normal timber crop passing regularly into the market, there was an enormous clearance during the war. The labour of German prisoners, encamped in comfortable wooden huts at the Lour, was utilised to fell and manufacture timber; and, as there were a hundred and twenty of them, they did in spite of themselves wear through some work—notwithstanding a fine bonfire one night which destroyed a valuable steam engine, saw-mill, and piles of manufactured wood. Small groups of sturdy Scotsmen put on rail very much more. Many thousands of tons were despatched to supply the country's need. Large spaces which had been densely wooded are at present resting in fox-glove and bracken. But enough of the forest remains to make this still a beautifully wooded valley.

Cottage gardens are fairly, a few of them admirably, kept. The annual flower show was a great success in pre-war times; but in the course of the war the show was stopped and its money in the bank disbursed among war charities.

## VII

As many as a thousand brace of grouse have been shot of a season on Stobo moors, the average being about 700 brace. Pheasants thrive splendidly. Even during the war



when none were specially reared or hand-fed the bag was about 200 brace. Partridges are comparatively scarce, sixty or seventy brace being reckoned good. A few woodcock, about thirty wild-duck and a score each of black-cock and snipe vary the annual bag. Although blue hares are numerous on the hills, the brown hare has never done well here. But rabbits! In 1802<sup>1</sup> it was thought worth noting that they were found wild in the sand-hills of West Linton. And within living memory an old man told of his boyhood wonder at seeing a rabbit in Stobo for the first time. Now they are extraordinarily plentiful, many thousand couple being consigned yearly to city markets.

Deer are seen very rarely—a native roe-deer occasionally or a Japanese escape from Dawyck Park. There has to be a fox-drive with a kill of three or four foxes about the end of every winter to protect the coming lambs. Magpies and squirrels, common in Stobo thirty years ago, have disappeared. Weasels, so common in the days of turf dykes and few gamekeepers, that folk lived in, perhaps unfounded, fear of them, now hardly ever give one the pleasure of seeing how straight they can flit across the road.

### VIII

For long school was held in church. The pupils are said to have made the grooves in the arch of the church porch by sharpening scales of slate into "skaillie," slate-pencil. In 1633, however, it was enacted by the industrious parliament<sup>2</sup> "that a school be built in every parish." Stobo school probably dates from about 1640.

But no provision was made for the schoolmaster. To remedy this defect a public meeting was held at which the parishioners declared their readiness to subscribe. The heritors, however, thrice called at the most patent door of the church, failed to appear. A deputy was appointed to interview them. He waited on the Countess of March, heritor for Haprew, in Edinburgh once and again; but her ladyship being "throng with company" did not see him. He was ordered to try once more; and being at last admitted he found her polite, as was to be expected, and willing to do her part "when others having a larger interest did theirs."

<sup>1</sup> Findlater.

<sup>2</sup> Hume Brown: *History* ii. p. 294.

These others were the young laird and the old factor of Stanhope. The old factor was of the grim breed to which is attributed the motto, "Damn the dominies; keep them pur." Nothing to be made out of him. Recourse was had to young Stanhope himself, who, like the Countess, was quite nice about it—only he was just starting on a six weeks' visit to London. As soon as he returned he would have the matter put right. Six weeks in London either taught him how to spend his money on other objects than schoolmasters, or left him with no money to spend; for on his return he avoided those who wished to see him on business, and when cornered at length got out of the corner by making fair promises which he made no attempt to keep.

How to bring pressure to bear on these fainéants? Reverend members of the Presbytery were commissioned to "discourse" the Earl of March. Much he cared for their discourses. Application was made to the General Assembly, 1718, where, if talk were business, business would be done. Nothing was done. Appeal was threatened to a powerful court of those days—the Commissioners of Supply. This sounded serious. The Earl of March came forward and "promised very fair"; but on reflection that the Commissioners were friends of his own he risked the threat, and the threat came to nothing. The appellants, undaunted, "took instruments." Fine things instruments if they can be used. They were useless. The Countess and young Stanhope passed away. Their successors to the third and fourth generation practised the old finesse. One hundred and twelve years elapsed in the intermittent process of trying to make the gentry who owned the whole parish "stent themselves" for a schoolmaster's salary.

All this, diverting in a way, meant that the children through several generations were defrauded of whatever better chance in life education would have opened to them. The Countess, young Stanhope and the rest of them, therefore, need not be grudged an intimate view of the region which Dante assigns to "plentiful promise with meagre performance" (*Inferno*, 27, 110).

Meanwhile there was an amusing interlude. The schoolmaster was promoted to additional income by acting as beadle. Not only so. One, William Chisholm,<sup>1</sup> was so concerned about the backward state of education that when he fell sick and believed himself to be on his death-bed, he "mortified" eight hundred merks in favour of a schoolmaster for Stobo. He meant the document to remain in the hands, and apparently at the discretion, of his wife to be or not to be put in force as she should decide. But the minister who had drawn it up took it with him and handed it over for safe custody to the Presbytery. By and by the said William Chisholm began to recover and to desire also the recovery of that mortifying deed. But his wife hadn't it; the minister hadn't it; down therefore went Mr. Chisholm to the Presbytery. Pawky Scot that he was, he played the diplomatist

<sup>1</sup> Dr. Gunn's *Stobo Church*, p. 99, etc.

over that reverend Court. Granting in lieu of his Mortification an assurance "that if he were worth so much at his decease, or so much as was left, he would oblige himself to bestow it on behalf of a school at Stobo"—an obligation which bound him to nothing—he got the deed into his own hands again. By and by there is the significant entry in the records: "No Mortifications in Stobo." Happy Stobo.

At last in 1745, after a polite and patient putting off an acknowledged duty from day to day for some forty thousand days, the land-owners came forward handsomely and agreed that a legal salary be modified for the schoolmaster of one hundred—pounds?—No, merks. Now a merk was worth just a little more than a shilling. A hundred merks were worth £5 11s. 1½d.; and that was the guaranteed annual income of the schoolmaster of Stobo up to the time of the first *Statistical Account*, 1792. If to eke out a frugal living the schoolmaster kept a cow, the cow had to go and die, and that on a Sunday morning. At once he called in assistants and set about not only bleeding the carcase with a view to beef—that, although done on the Sabbath, might be condoned as a "work of necessity and mercy"—but also "fleaying of" the hide with a view to leather, which could have waited till Monday, and for which therefore he was suspended from his precentorship and sentenced to undergo the kirk-session's judicial rebuke.<sup>1</sup>

Howbeit he had rent free a comfortable house—built about 1777. He also received one shilling a quarter from each beginner learning only English, and one shilling and sixpence from each pupil taking also writing and arithmetic. But as his whole school in 1792 numbered only twenty-four scholars, of whom six were beginners paying him £1 4s. per annum and eighteen advanced paying him £5 8s., his total emoluments did not exceed £12 a year. By acting as Precentor and Session Clerk and "for his trouble in ringing the (Kirk) Bell and carrying in the minister's Bible on Sabbath,"<sup>2</sup> he earned yearly an additional £3 10s. Even so, ample room was left for progress towards the modest ideal of "passing rich at forty pounds a year."<sup>3</sup> If a schoolmaster died early, his widow was pitiably unprovided for: "To Anne M'George, Relict of William Stewart, late schoolmaster at Stobo, a woman in very indigent circumstances, 2s. 6d."<sup>4</sup> A single payment of a single half-crown to the widow of a man qualified to teach, precent, and keep the parish registers! Out of this slough the teaching profession rose very slowly. A new generation was in being before the relief of another schoolmaster's widow attained to the munificence of £1 1s. By and by—in 1789—the salary rose to

<sup>1</sup> *Kirk Session Records*, 16th April, 1775.

<sup>2</sup> *Kirk Session Accounts*, 3rd June, 1811.

<sup>3</sup> Goldsmith, *The Deserted Village*. But that was the Auburn clergyman's stipend; the Auburn schoolmaster's income probably rivalled or excelled Stobo's in frugality.

<sup>4</sup> *Kirk Session Accounts*, 14th June, 1765.

what was then the average <sup>1</sup> income of schoolmasters in the county—£32 with school fees amounting to about another £12. Forty-four pounds in all—"with good accommodation."

It was no meanly qualified pedagogue who was engaged at these restricted rates. The first man to draw the £5 11s. 1½d. "acquitted himself to the brethren in the Latin tongue, in the Classics, and in Arithmetic and Writing." Men of ability and character, men of such gifts as in other walks of life would have brought them wealth and eminence, patiently communicated their best to their scholars and sent them out into the world to vindicate place among the world's most capable workers. The first Montgomery got all his schooling from the West Linton parish schoolmaster. Occasionally a teacher by private study trained himself for the ministry; but this use of school as a stepping-stone to the pulpit was deprecated as tending to neglect of the pupils. The great majority of the teachers without any ulterior aim devoted themselves to teaching. Their success, measured by wealth to themselves, was nil; measured by the efficiency of their scholars and by the service which these scholars in turn rendered to mankind, their work was of world-wide beneficence. In person they were often grimy and gruff, cynical sometimes, snuffy, and irascible. But in their office they were men of such calibre that even now there arises in the mind of every Scotsman a sense not of respect merely but of reverence at the name of the "Old Parochial Schoolmaster."

The old order has changed, doubtless by and by for the better. The schoolmaster's salary, which had risen by 1914 under the School Board to £140 with house and garden, rent and rates free (and a female assistant at £70) for a school of 33 pupils, rose in 1923 under the Education Authority to £335 with a female assistant at £200 for a school with about the same number of pupils on the roll. When the Scots child becomes able to assimilate the new teaching, or when the new teaching becomes such as he can assimilate, and the Scots intellect is developed in proportion to the increased expense of developing it, the world should find the new Scot an eminently useful creature.

The schoolmaster has always acted as Registrar, Clerk to Parish Council, Heritors' Clerk, etc., efficiently performing many exacting duties and remunerated for them at the present rate of £40 per annum.

The old school (1640) endured with many re-thatchings and re-roofings until 1887, when occasion was taken of

<sup>1</sup> Second *Stat. Acct.*



Queen Victoria's Jubilee to build the present school, which since then has been re-desked, partitioned and otherwise improved. The school house, from the first rather a creditable feature of the provision for the schoolmaster, was in 1914 brought well abreast of modern ideas of convenience and comfort by the addition of a fourth bedroom, scullery, bathroom, with hot and cold water, a second lavatory, coal-house, and renewed drainage.

## IX

With the progress of agriculture and of civilisation generally there has been a sure rise in the standard of comfortable living. Much of the *de rigueur* frugality which our ancestors practised has been outgrown. An old tax schedule<sup>1</sup> shows that in 1802 there were only six silver watches in the parish and—the laird being from home—not a single gold watch. Dissenters, when they went to meeting in Peebles, carried their boots and stockings over their shoulders to the foot of the Castle Hill, where, reversing the Mosaic order, they put them on for worship; then doffed them again outside the town and walked home bare-foot. This was done, not as in "The Holy Fair" by the women only—

" At slaps the billies halt a blink  
Till lassies strip their shoon."

but by men and women alike.

On market days men carried their mid-day meal as meal which, borrowing hot water at a way-side house, they made into brose. The bannock, made of equal quantities of barley-meal and peasemeal, which at the beginning of the nineteenth century was the ordinary bread of the cottar, is now unknown. Unknown also are sowins—even by name. Porridge is still in regular use, and still spoken of as plural, "the porridge that were hott'rin' on the fire"; but oatcakes, once Scotland's distinctive food, are seldom baked. Their place has been taken by the white wheaten scone with its variant the dropt-scone or sciever which all the wives excel in baking. Traik or braxie—the flesh of a sheep that had died by disease or accident—has quite passed out of use, except on rare occasions by shepherds when

<sup>1</sup> Findlater.

they know all the circumstances. The Biblical prejudice against bacon, noted by Findlater in 1802 as daily giving way—there was not a pig in the parish then—gave way completely. For several generations the pig was part of every cottar's "plenishing." But the Sanitary Inspector, cheap foreign bacon before the war, and the enormous price of young pigs since—at six weeks old they were sold in May, 1920, for £6 5s. apiece—have made the "rouch" home-cured hams hanging from every cottage ceiling things of the past. Neither is there anything like the same dependence on milk-food as formerly. Almost all hinds have ceased keeping a cow. The hardship of each wife having to turn out to the byre in all weathers, the uninsured loss when "the coo" died, and the lack of approved dairy accommodation have stopped that which was once the principal means of bringing up "the weans." As a part of the same economic process shepherds have relinquished payment by the "pack," that is, a fixed number of sheep of their own kept along with their employer's: the last pack on Stobo Estate was surrendered in 1920.

Hives of bees thrive beside almost every cottage up to a few years ago when they were exterminated by the so-called Isle of Wight disease—a result perhaps of the purblind ingenuity which debarred the bee from working her natural proportion of wax, every ounce of which represents about a pound of marketable honey. By fitting the frames with old wax manufactured and re-manufactured the bee was coerced into making sixteen ounces of honey instead of one ounce of wax. But the balance of the bee system, the cycle of her energy, cannot but have been vitiated. At any rate one solitary hive was left in Stobo at the end of 1922 where there used to be more than a hundred. A fresh start has been made with appliances new or disinfected and a stock reputed immune. It remains to be seen—the omens are sinister—if in the trying climate of Peeblesshire the most ingenious of insects will succeed, despite atrocious maltreatment by bee-keepers of the old school and the new, in adapting herself permanently to the severe strain of nature-disturbing conditions.

Poultry has improved greatly within recent years. Almost every householder keeps now not any sib and aged medley but a thoughtfully chosen and intelligently cared for breed. The discovery that even in country places poultry, when penned or excluded from the earth by frost and snow, require flint and lime as much as food and water

brought no small profit when, as in the winter of 1920-1921, eggs were sold at sixpence each.

So far as homely fare is concerned the people are ever so much less self-supporting than they used to be. But there is a vast amelioration in wholesome variety. Butcher, baker, grocer, fish-monger, fruiterer, by one-horse van or motor car, visit the district regularly, and all find custom enough to keep them going.

"Ere coffee and tea and such slip-slops were known," whisky, which then cost only a shilling a bottle,<sup>1</sup> was the synonym for prompt hospitality. So far from being suspect as a luxury or a curse, it was held in conscientious practice and strict accounting, one of the things folk simply could not do without. Thus the Kirk Session Cash-Book: "1777, Feb. 22. To a bottle of whiskie, candles, and other necessities, 3s. 0½d." This was for a pauper's funeral, the expenses of which, having to be defrayed out of the Poor Box, were kept down to what was reckoned the barest need. Similar entries are numerous: "1811. To John Ramage for two bottles of whisky and two quartern loaves for his wife's funeral, 8s." Next year John required the same service for himself and was accorded it although, owing to the rise in the price of bread to 1s. 4½d. a loaf, the bill this time was 8s. 9d. By the same custom a poor man, with difficulty paying his own way, would deny himself many things rather than scrimp the conventional refreshment to his neighbours before burying his dead. Whisky for the men; and for the women and for boys attending a funeral for the first time, funeral port. At the obsequies of the well-to-do so lavish was the supply of liquor that there may have been no sarcasm meant by the incomer who denied that Peeblesshire is the least hospitable place on earth, for although in the course of a three years' residence he had received only one invitation and that to a tea-party, he had been asked to all the funerals. This kind of hospitality only went out of use about half a century ago.

Under the old Poor Law, port wine in relief of the poor was readily granted by the most thrifty of kirk-sessions. "1815, 6th Decr. To Mary Aitken, a bottle of port wine as a cordial when ill during last summer, 5s." "1812, June 2. To four bottles of Port Wine to Alex. Porteous in Westerhaprew for a cordial to his children when in distress, 18s." Considering what wash drugs were and what confidence the rural sick have in "a bottle," probably wine was the best medicine a bottle could contain for them; and at any rate that "cordial" does something to redeem the pitiful parsimony of the old accounts.

While now there is no ale-house, there used to be three; at the Cloy (Burnfoot), the Cless, and the Crownhead. On avowedly con-

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<sup>1</sup> To two bottles of whiskie for James Stavert's funeral, 2s. (*Kirk Session Records*, 25th November, 1770.)

vivial occasions liquor plentiful and undiluted was the rule. When first at a tenantry dinner Sir James Montgomery gave instead of whisky neat, whisky-toddy, he was remonstrated with by his principal tenant, Charlie Alexander, for trying to put them off with "bee's meat." Sir Graham, happening to look in late at the Kirn or Harvest Home, was so annoyed to discover many of his men on a revolving floor among reversing furniture that he made this Kirn the last and sent instead to every cottager at Hogmanay the still continued gift of groceries, shortbread, and Selkirk Bannock. Since then Stobo has gone the way of most well-ordered parishes—tolerably temperate, with, notably in the rising generation, a wholesome leaven of total abstinence.

## X

There is a tennis club, also a good bowling green beside the hall with seven or eight strong and merry rinks. Carpet bowls are keenly played in the hall on winter nights. Quoits engage a few in the summer evenings. Curling is at best an intermittent game; but at long intervals the beautifully engraved medal of the, at present defunct, Stobo Curling Club receives the name of a new champion. There is a fine corps of Girl Guides, and the Stobo Boy Scouts were the first to win and again to win the county flag.

## XI

## (I) SIR JOHN REID

There lived at the end of the fifteenth century a notable man "John Reid (Reide or Rede), alias Stobo." How did he come by this alias? Not, one would suppose, from Stobo being his birthplace. The name of the parish was administered to foundlings brought up at the parish expense; but Reid had his own patronymic. Certainly not from ownership of the land; for the land belonged to "God, St. Kentigern and the Bishop of Glasgow." From his being priest of the parish is the remaining conclusion. But he evidently devolved his parochial duties largely on vicar or curate and kept himself free for more distinguishing vocations.

None but a man of great ability and adroitness could from the sleepy hollow of the cure of Stobo have commended himself to three kings of Scotland. John Reid<sup>1</sup> did this. He received from James III. an annuity of twenty pounds—the same as Chaucer had from Richard II.—in recognition of "services rendered to our late pro-

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<sup>1</sup> Dr. Gunn: *Stobo*, pp. 3-4; Renwick: *Historical Notes*, pp. 119-121.



genitor and us in writing our letters to our most Holy Father, the Pope, the sundry kings, princes, and magnates beyond our kingdom, and his expenses in parchment, paper, red and white wax and other costs incurred for the said letters and foreign writings." Such an honorarium implies that he was no mere scrivener, but in some degree, like Milton for the Commonwealth, Secretary of Foreign Tongues, as the Secretary for Foreign Affairs was then called. He drew this income during the whole of the reign of James III. and had it confirmed to him by James IV., the payment only ceasing, after thirty-one years, in 1505—the year, as is surmised, of Reid's death.

The lifelong security of his lien on the confidence of monarch after monarch betokens powers of no mean order. But bare ability never long secured royal favour. Good humour appears to have been the distinction of his personal relation with his royal masters. He had an occasional deal with them in horses—always a chance for wit against wit. James IV. "pinched" from him, and presently of course paid for, "Stobo's ring and chain." Stobo sent the King, James of the Iron Belt, when in Peebles in 1501, a present of capons. The King gave "Stobo's maiden"<sup>1</sup> who carried the fowls from Stobo manse to Neidpath Castle a kingly vail of 14s. (Scots) for her trouble; and then appreciating the well-fed birds, or pretending for fun that they were underfed, he decreed Stobo a grant of "45s. to cause feed the capons."

For all his familiarity with successive sovereigns it is to his credit that even during the reign of James III., when favourites were the scandal of the realm, he knew his place, and kept it, and so saved his neck from inconvenience at Lauder Bridge. He acquired no wealth. All the preferment he ever got was the indefinite promotion to be "Rector of Kirkcriste"; and the best of the royal gifts to him was but the price of a new gown. He procured no honorary rank: "Sir" before his name was then what the more arrogant form "Rev." is now, the general title of address for the clergy. He must have been a man of rare discretion, scholarly and humorous, with a sound working knowledge of statesmanship and courtier craft.

Was he also a poet? Dunbar in his *Lament for the Makers* writes:

" And he (*i.e.* Death) has now tane last of a'  
Gud gentil Stobo and Quintane Schaw,  
Of quhome all wichtis hes pitie :  
Timor Mortis conturbat me."

It may be that "good gentil Stobo" was a person of whom nothing but that phrase is known. On the other hand, John Reid is described officially not only by his proper name, and by his name with the alias, but also simply as "Stobo." He was a contemporary of Dunbar's ;

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<sup>1</sup> The maiden was a personage in the houses of the old clergy. In 1528 the Dean of Peebles and his maid drew the rents of seventeen farms in Stobo, and accounted for them to the Bishop's chamberlain. (*Diocesan Register*, i. 63.)

like Dunbar he was a clergyman, a penman, and a courtier; at Court he was on the same level with Dunbar—both being on the Civil List for £20 a year. Thus the name Stobo in Dunbar's mind would connote John Reid. Further John Reid alias Stobo ceased to draw his salary from the Exchequer in 1505; in 1507 Dunbar commemorates Stobo's death. All that is known of Reid agrees with the character Dunbar gives of his brother poet. Most likely, therefore, John Reid is the "good gentil Stobo," the poet of Dunbar's *Lament*.

If so, is there any of his work extant? None under his designation. But it has been surmised that he may have been the author of the anonymous poem, *The Thre Prestis of Peblis how thai tald thar talis*, which has been translated out of the ancient Scots vernacular and made an entertaining modern book (1894) by Dr. Clement Bryce Gunn. The question of authorship is fully discussed by Mr. T. D. Robb in his preface to the beautiful edition which he has edited for the Scottish Text Society (1920).

That the date of the poem is "somewhere <sup>1</sup> between 1484 and 1488" seems fairly clear: it thus falls within Stobo's *floruit*. The clerkly exactitude of its proportions is in keeping with Stobo's discipline as a Secretary. The whole poem is a trio; so is every one of the stories; and it is composed throughout with such precision as if at every pause one could overhear the unwritten, "Minute approved and signed." The clerical decorum of eight-ninths of the poem is in harmony with Stobo's profession as clergyman. The last story especially is in the mood of a "most gentle pulpitier." And although in the other ninth (lines 809-991 which Dr. Gunn, without indicating any hiatus, has omitted) the author had to deal with the king's conjugal infidelity, he had more regard for his cloth than to chuckle as Chaucer would have chuckled at the episode, or to laugh as Dunbar, maugre his cloth, would have laughed. The courtly attitude is seen in every part of the poem: in the air of refined self-indulgence over the whole scene; in the purely academic zeal for reform in all three estates of the realm lightly appeased by a word from his Majesty; in the complete silence about such a clamant grievance as the debased currency; in the discreet side-glance rebuke of royal favourites for their youth <sup>2</sup> instead of for the actual mischief of low birth and breeding; and even in such a trait of an eye-witness as that on a royal progress the King had to switch the flies and midges from his face with twigs of birch.<sup>3</sup> Considerations like these show Stobo's authorship possible, perhaps even in some measure probable.

But in the absence alike of any ascription of the poem to him by any ancient authority and of anything in the work itself distinctive

<sup>1</sup> Mr. Robb's Preface, p. xiv.

<sup>2</sup> Lines 456 ff.

<sup>3</sup> "Ane cow of birks into his hand had he  
To keip than weil his face fra midge and fle."

of the person or the parish, one has somewhat ruefully to admit that "conclusive proof is wanting."<sup>1</sup>

To his memory an oak tablet made and presented by Dr. Gunn hangs in the Vestry.

## (2) THE BLACK DWARF

David Ritchie, the original of Scott's novel *The Black Dwarf*, was a native of Stobo, born at Easter Happrew about 1740. His father, a labourer in the Slate Quarries—three miles distant—had that long tramp to his daily work, a long severe day's toil, and a long tramp home: hence when poor wee David arrived he was Boo'd Davie. He lived his life at Manor, and an account of him is given in the chapter on that parish (p. 545).

The tribute paid him by his native parish was mean. He came hirpling over the hill for the customary annual distribution of alms on Communion Monday, 26th Aug., 1771, and was presented with a sixpence. Two years later he came again, and again got sixpence only—and this although some Betty Frazer or other received two shillings. Davie, a connoisseur of charity, disdained such stinginess. He stayed away nine years, and then, 8th September, 1782, hoping perhaps that a new heart had been created within the penurious Stobonians, he gave them one more chance. He got one shilling; and came again no more.

## XII

The first *Statistical Account* surmises "from the remains of old houses and old towers which are now much defaced but are still in the remembrance of old people that the population has considerably decreased." This is what has been well called the deserted village fallacy.<sup>2</sup> Old buildings were let go to ruin not because the population had vanished but because it had moved aside to dwell in new houses on new sites. The "nineteen towns of Stobo" which Captain Armstrong<sup>3</sup> commemorates were "towns" only in the Scots and provincial English sense of farm-houses. Light soil, lack of mineral wealth, and seclusion from markets must always have kept the Stobo population sparse. From 313 in 1755, it rose to 478 when in 1861 there was an influx of navvies for railway building, and has again receded to 362. Exactly the same number of pupils attended Stobo

<sup>1</sup> Mr. Robbs' Preface, p. xvi.

<sup>2</sup> Findlater, *General View of the Agriculture of Peeblesshire*, p. 48.

<sup>3</sup> *Companion to Map of Peeblesshire*, p. 34.

School in 1802 as in 1920, viz. 32. The number of deaths for the eight years ending 1792 and the same space of time ending 1919 were nearly alike, viz. 23 and 24. For the same periods the marriages were 10 and 12 respectively. But the birth-rate shows a great variation. The average birth-rate for the eight years after the passing in 1855 of the Registration Act was 17; for the last eight years, 6.<sup>1</sup>

## XIII

One observer<sup>2</sup> in the eighteenth century alleges that the people of this district are comely but lacking in cleanliness; another<sup>3</sup> that they are "prolific beyond belief." Now they are as cleanly as comely, and their fecundity not more than normal. Pennecuik's note that they never sing or whistle at their work still holds good; Land of Song although the Scottish Border is, the Borderer's life was such as to develop an instinct of cautious silence which they have never outgrown.

The Stobo character is at once of great strength and kindness. The courage which of old rose into the heroism of fighting for Wallace at Hallow and for Prince Charlie at Culloden reappeared valiant as ever in the Great War when the Roll of Service showed 58<sup>4</sup> serving in the Army. The Roll of Honour enshrines the names of twelve men who laid down their lives for our sake. To the kindness of the folk a beautiful tribute is paid in the first *Statistical Account* (1792) by the then minister of the parish:

"My residence among them has been for upwards of sixty years. I have known many respectable, benevolent, and kind-hearted parishioners. They are gone and I have mourned their loss. Yet they have left behind them successors to whose integrity of life and manners I am happy to have the opportunity to bear testimony. There is, in one word, perhaps no parish where the moral character and conduct of the people are in all respects more uniformly unexceptionable."

1927: Still true.

<sup>1</sup> 1916-1923 inclusive.

<sup>2</sup> Pennecuik.

<sup>3</sup> Armstrong.

<sup>4</sup> Besides 23 in the Volunteers.



## THE LAND AND ITS OWNERS

(1) THE BARONY OF STOBO<sup>1</sup>

The manor of Stobo is said to have become the property of the Church in the lifetime of St. Mungo (St. Kentigern), who died in A.D. 603. The statement rests on the authority of the Inquisition held sometime<sup>2</sup> between A.D. 1115 and 1124 by David, Prince of Cumbria, afterwards King and "Sair Sanct," for the purpose of ascertaining "from perishable writings and the investigations of public officials" what lands belonged from of old to the Church of Glasgow. Stobo appears fourteenth on the list.

According to this, the earliest document in which Stobo is mentioned, after St. Mungo and several of his successors had been "translated to God for their steadfastness in holy religion," insurrections arose everywhere, undoing the work of the saint, *fidelis dispensator* that he was, "destroying the church and its possessions, wasting the whole country-side and supplanting the comparatively civilised inhabitants with tribes of savages." Prince David with the Elders and Sages of Cumbria divined that these were the machinations of that *fraudulentus exterminator*, the Devil. From the clutches of the Evil One the whole diocese was formally delivered by the Inquisition, whose diligence does certainly mark the beginning of clearer days. By the end of the first quarter of the twelfth century the Church of Glasgow entered on a real tenure of lands, including Stobo, which had already pertained to it nominally for over five hundred years.

The diploma granted by Prince David's Inquisition was ratified and sanctioned by a whole quartet of Popes, Alexander III. (1170), Lucius III. (1181), Urban III. (1186) and Honorius III. (1216), all of them "placed<sup>3</sup> by divine ordinance on the lofty watch-tower of the Apostolic See," and clearly able therefore from the pellucid air of Italy to discern the rights of ownership in distant Scotland and obscure Tweeddale. But the *fraudulentus exterminator*, Satan afore-said, so darkened the minds of the natives that they could neither

<sup>1</sup> This, it should be noted, did not include the lands of Happrew (p. 507), Brownsland (p. 509), and the kirk lands (p. 507), which will be dealt with separately.

<sup>2</sup> The deed is not dated, but appears to have been drawn up after John, Prince David's tutor, became Bishop of Glasgow, circa 1115, and before Prince David became King in 1124. The document, in facsimile as well as in type showing the text both with the original abbreviations, and with these extended, is the first of the muniments in the *Registrum Episcopatus Glasguensis*. Text and translation are given in *Scots Lore*, i. pp. 36-46.

<sup>3</sup> Bull by Pope Alexander III. in 1170.

discern how their ownership had been superseded by Bulls and bits of vellum nor realise what a tremendous weight of authority was against them when trying to vindicate what they imagined to be their own. Three of their controversies, all recorded in the *Registrum Episcopatus Glasguensis*, may be related here.

(1) The Laird of Kirkurd, "William, son of Geoffrey of Orde," came over the hill, took possession of Stobo Hope, and might have held it to all time against a layman. But against a Bishop! In those days a Bishop could consign an offender to perdition. And the land was as sterile as any in Scotland. It might be only a risk; but was it worth while risking so much for so little? Besides, if he had transgressed, he had done so by warrant of his overlord—no less a person than Prince Robert, a son of the King. And now the King's son, conscience-stricken, was urging him to withdraw "for the deliverance of his soul and mine, lest for such a point we be lost, which God forbid." The Laird of Kirkurd saw the land that it was poor and the danger that it was considerable. Wherefore "unwilling that for such land our souls should be doomed to everlasting punishment, he restored the aforesaid land, namely, 'Stobhope,' as bounded by the hill top, to God and St. Kentigern and the Church of Glasgow"—but not without a consideration. Although the lie of the land, on the slope away from "Orde" toward Stobo, is entirely against him, he must have had a colourable claim on it; for instead of being cleared out at once and fined for his usurpation, he was "granted common pasturage in said land during his lifetime free of any manual service." This was a common form of "sweet reasonableness" on the part of the Church. Its mortmain is so long, the life of a tenant or two so brief, and an individual's interest so usually his chief interest that it was quite worth while for the Church to secure a smooth succession by mulcting itself in a frugal solatium until the assenting but resentful party "ceased from troubling."

In the charter *Divise de Stobo*<sup>1</sup>—giving, probably as a sequel to this case, "the right marches between Stobbo, Hoppewe and Orde," amusing sidelights are thrown on the then life and character of the clergy. A couple of hermits in the neighbourhood let themselves loose from their hermitages for one glorious day perambulating the marches of Stobo; and by that day's outing they live in history: Cristin, Hermit of Kingledores, and Cospatric, Hermit of Kilbucho. A half-caste phase of clerical life is disclosed in the entry: "Matthew, James and John, sons of Cosmungo, priest at Eddleston." The composure of the registry, as with no apology needed, indicates that priests in the early Scottish Church were allowed some slight relaxation of the strict rule of celibacy.<sup>2</sup>

<sup>1</sup> Professor Veitch in vol. i. *History, etc.* p. 253, discusses this document at great length.

<sup>2</sup> Veitch: *History, etc.* i. 256. About the same time the Dean of Stobo had a son recognised as his heir by the Abbot and Convent of Kelso.

(2) In 1223 Jordan of Currokes<sup>1</sup> produced title deeds purporting that he, and not the Bishop of Glasgow, was the lawful laird of Stobo. So serious did the case appear that it was submitted to His Holiness at Rome and by him remitted to three holy men, *i.e.* Churchmen—a couple of archdeacons and a bishop—without any layman assessor complicating their singleness of aim, to have the matter if possible settled out of Court. The dispute was settled by payment to Jordan of £100, a considerable sum in those days, showing that the claim was by no means groundless. Jordan surrendered his title deeds, and for himself and his heirs abjured the lands for ever. And to make matters quite certain it was provided that if any papers not restored should afterwards be discovered, they were to be considered invalid.<sup>2</sup>

(3) Yet within ten years (1233) up started a certain Widow Marion, daughter of Samuel, who ignoring Jordan's renunciation, brought the venerable father, William, Lord Bishop of Glasgow, into plea before Sir Gilbert Fraser, Sheriff of Traquair, demanding from him the land of Stobo as hers by right. Was not this the *fraudentus exterminator* back to his old tricks, covertly inciting Widow Marion to harry the Bishop? Religious influence, not legal reasoning, is the weapon against demonology. Marion, daughter of Samuel, was brought to see the errors of her ways. She repented of her sin, resiled from her plea, relinquished whatever heritable rights she might have had in Stobo, and instead of being punished for barratry, as she would have been if devoid of at least a *prima facie* case, she was granted an annuity of ten merks, first to herself as long as she lived, and next to her son, heir, or assignees during the whole of his or her lifetime. The annuity was made a burden not on Stobo but on "the ferm of our Manor, Eddleston"—a wily undoing of one strand of attachment to the old place. But if there were any more law plea provocation by any claimant whomsoever, Widow Marion and her son, heir, or assignee were bound to conduct the defence for the Bishop at their own charges and to preserve the Bishop and Chapter of Glasgow "wholly skaithless."<sup>3</sup> Wherefore she saw to it that a claim by her nephew Eugenius, the son of Anabelle, went no further.<sup>4</sup>

Step by step the Church, with patient, conciliatory relentlessness, "ever straining after peace and quiet"—*pacem*<sup>5</sup> *et quietem affectantes*, as the Bishop has it in the records—meekly forgoing years of income for centuries of possession, ousted the rustic owners from a heritage handed down to them by ancestors who probably had acquired it by knocking former proprietors on the head. The natives,

<sup>1</sup> Perhaps Corroc in Lesmahagow, which was held from the Abbey of Kelso by Peter, the Dean of Stobo, and his son David (1180-1203). (Renwick: *Historical Notes*, p. 99.)

<sup>2</sup> *Reg. Glasg.* No. 126; Renwick: *Historical Notes*, p. 102.

<sup>3</sup> *Reg. Glasg.* No. 130.

<sup>4</sup> *Ibid.* No. 131.

<sup>5</sup> *Reg. Glasg.* 141; *Origines*, i. 200.

like South Sea Islanders brought under the sway of an unknown monarch by an adventurer planting a flag on their shores, were sadly nonplussed by all these papal investitures, and courtly grants, and intricate conveyancings away from them. But there was nothing for it except growth in resignation to the will of God. By the middle of the thirteenth century the whole "Manor of Stobo with its pertinents" had passed "to God, and the Blessed Kentigern, and the Church of Glasgow, and to the Venerable Father William, Lord Bishop of Glasgow, and his successors for ever." For ever! Eheu! Into how short periods is the fondness of every mortal "for ever" abridged!

Here My Lord built himself a palace or, as it is called in the *Diocesan Register*, a chemysse—defined in Jamieson's Scottish Dictionary as "the manor house of a landed proprietor or the palace of a prince." The traditional site is on the Harrow burn, the first knoll on the right some half-mile up from the market road. Among visitors entertained here the records mention that Bishop of St. Andrews who was one of the guardians of the realm in succession to Sir William Wallace. He came up from Peebles on the 20th August, 1299, after a meeting there at which among other courtesies two knights gave one another the lie and drew their knives; one knight took an earl by the throat, and a bishop was assaulted by an earl.<sup>1</sup> From such a scene it was good to retire to this secluded little glen and partake of the hospitality which doubtless here regaled many a lordly and many a lowly guest.

The revenue stated in modern currency sounds absurdly small. The total rent paid to Edward I. for the two years, 1302-1304, of his confiscation of the parish was £12 6s. 8d., viz.<sup>2</sup> "£10 from the farm of the villis of Stubho and Draych (Dreva) which were the rebel Bishop of Glasgow's, and £2 6s. 8d. from the farm of said Bishop's mill of Stobo." Paltry in terms of money although such rents seem, really they were of great value. So valuable in course of time did they become that besides upkeep of the church and maintenance of the priest in charge, besides dues for the Bishop, and other dues for other officials at home and abroad, the Rector's tithes were such that he could afford to maintain in the Drygait<sup>3</sup> of Glasgow a manse more luxurious in all its appointments than the mansion of many a merchant prince.

Clerical luxury alone might not have annulled the splendid chance which the Church, with its double ban against the marriage of the clergy and their acquisition of personal wealth, had of proving a model landlord. But clerical luxury bred and advertised clerical immorality. In Stobo Manse in the Drygait of Glasgow, along with its Roman Catholic priest, Mr. Adam Colquhoun (1513), resided Jane Boyd and the two sons borne by her to him, James and Adam, who after a case in the law-courts inherited the whole of the parson's

<sup>1</sup> Bain's *Cal.* vol. ii. No. 1978.

<sup>2</sup> Bain's *Cal.* p. 425; Renwick: *Historical Notes*, p. 109.

<sup>3</sup> Warrack's *Domestic Life in Scotland* (1488-1688).



wealth. The Church was aware of the danger of that kind of thing, and, making a frank effort to obviate the danger, did in 1549—note the date: eleven years before the Reformation—pass this statute: <sup>1</sup> “Item: That neither prelates nor their subordinate clergy keep their offspring born of concubinage in their company, nor suffer them directly or indirectly to be promoted in their churches, nor under colour of any pretext to marry their daughters to Barons, or to make their sons barons out of the patrimony of the Church.”

Dowry enough to make their daughters eligible for barons, wealth enough to raise their sons to the baronage, had to be pillaged not merely in a single lifetime but in the few years near the end when elderly men in numerous succession were promoted to the dignities which allowed unchecked rapacity. Maladministration of its estates by the Church did perhaps as much as anything to precipitate the Reformation.<sup>2</sup>

At the Reformation much of the property wrested from the Church simply disappeared. John Knox says, “twa pairtis were freely given to the devill and the third mon be devyded betwixt God and the devill.” Stobo, surely too good for the one but apparently not quite good enough for the other, came along with other Church domains in the neighbourhood into the hands of the nobleman who began to build Drochil Castle and was not able to finish it, the Regent Earl of Morton. His was a short-lived possession. Four years later (1581) he was condemned as “airt and part in the murder of Darnley,” and beheaded in the Grassmarket, Edinburgh, on the Maiden—which he himself had introduced into Scotland as an engine likely to prove serviceable among the nobility and gentry, and which to this day is shown in the Edinburgh Museum of Antiquities.

Morton's estates being forfeit to the Crown seem to have been intended by the Crown for the Church again. After a tentative allocation to the Archbishop of Glasgow, James VI. assigned Stobo in 1587 first to his Chancellor, Sir John Maitland of Thirlstane,<sup>3</sup> for the moderate rent of 40 bolls of barley at 40s. a boll and 172 head of poultry at 6d. a head; next in 1603 to his kinsman Ludovick, Duke of Lennox, on

<sup>1</sup> *Scottish History Society*, vol. 54, pp. 89-92; *Statute by the Provincial Council holden by the Prelates and Clergy of the Realm of Scotland*.

<sup>2</sup> During the ownership of Stobo by the Church the lands of that barony which included Stobo itself and its adjuncts of Braidford, Brewland, Eastertoun, Hilhouse, Harrow, Smiddieland, and others, were let to a number of tenants (see p. 473, and Renwick's *Historical Notes*). The names of some of the tenants are contained in the *Peebles Protocols* (which also contains references to the rectors and vicars), viz.: Thomas Gynton, Thomas Smyth, to whom succeeded Bernard Veitch, 1555, John Blackburn, John Ramage, Hugh Inglis and James Simson.

<sup>3</sup> His successors, the Earls of Lauderdale, were as late as 1696 still serving themselves heirs to the barony of Stobo (*Peebles Protocols*), but it is not likely that they ever had actual possession.

like reasonable terms, and then, accomplishing his pious intention of nearly thirty years before, made it over in 1608 as a free gift to the reformed Archbishop of Glasgow "for services rendered in public and private affairs."

But the Church in its Episcopal form was just then having such a bad time with her disowned and disowning sister Presbytery that the cautious Archbishop, lest worse should befall, granted a charter in 1613 of the lands and barony of Stobo, including the superiority of the lands of Dreva, to that trusty layman James Tweedie of Dreva<sup>1</sup> and to his son John. To this charter Sir James Douglas of Spot gave his consent.

### TWEEDIE OF STOBO

The Tweedies had been among the notables of the Scottish Border from time immemorial, and nearly their whole record had been that of a turbulent law-defying race. But on this wild buckthorn stock there had somehow been grafted a finer strain. The family sprang into good repute. To Adam Tweedie of Dreva, Sir Thomas Nelson, curate of Stobo, at the Reformation delivered for safe keeping the Church vessels. This transaction took place on 14th July, 1560, in the choir of the church before the high altar, and among the witnesses were Mr. John Colquhoun, the rector of Stobo, John Blackburn, John Noble in Haprew, and James Tweedie in Hillhouse. Among the articles was a silver chalice gilt, 16 oz. in weight, and 24 merks in value, which Adam Tweedie pledged himself and his heirs to restore for the service of the altar of St. Mary in Stobo, should service in the old manner be resumed, and failing that, to pay towards the fabric of the church 24 merks when required by the parishioners.<sup>2</sup> Of these vessels nothing further is known.

Later, the parishioners, or at least a majority of them, "*sive majoris partis eorundem*"—some evidently "had their doots"—elected one Tweedie after another as Parish Clerk on the ground of distinguished clerical character and general fitness for the office. "*clericali characterе insignitum et alias ydoneum.*" This was the strain in the nature of the Tweedies which dictated the family motto: *Thole and Think.*

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<sup>1</sup> He was also proprietor of Winkston in the parish of Peebles (vol. ii. p. 323), and gave it to his brother, Mr. John Tweedie, in 1617 (*R.M.S.* No. 1705). About the same time he and his son John (who had married Margaret Douglas) gave 13 bovates of the lands of Stobo, of three of which John was himself in possession, to James Tweedie of Drumelzier. John Tweedie also wadset 2 oxgates in the Harrow to his brother Walter for £100.

<sup>2</sup> *Peebles Protocols.*

## MURRAY OF STOBO AND STANHOPE.

Six years later (27th August, 1619) the Tweedies<sup>1</sup> alienated the whole barony of Stobo by sale to John Murray of Halmyre. Almost at once enacting vicarious penance for their profligacy they began to torment the new laird. They not only threatened that if he did not "buy their kindness they would haif his life or els lay his landis waist," but they did actually attack him in his "awne house." "They drew thair swordis and gaif him ane grite strake upon his left leg by the quilk he fell to the ground and being lyand they gaif him a number of deidle straiks and left him as a deid man." But not dead. Murray recovered, set off to Edinburgh, lodged a complaint before the Privy Council, obtained sentence of imprisonment against the tholing and thoughtful Tweedies,<sup>2</sup> and thus became laird of Stobo. How his estate became merged in that of Murray of Stanhope is told in the chapters on Newlands and Drumelzier.

The lands of Stobo were again erected into a free barony by charter to Sir David Murray of Stanhope dated 23rd February, 1698. The family resided at the principal farm—Hill House—where now the Castle stands. One of them, Sir Alexander Murray, a gentleman whose bad temper was credited to a bee in his bonnet, published in 1740 a treatise in folio.<sup>3</sup> The style of it exposed him fairly to the quip that it was of the same origin as his temper. But his first proposition: "That Ireland and all the colonies should be, on the same basis as Scotland had been, united with England," was of statesmanlike concern. And the second: "That the whole country should be provided with a system of greater and lesser canals," although cancelled by the unforeseen arrival of steam traction, would have been—bar this—a solution of the growing difficulty of transport. It was but a thin partition that divided his eccentricity from genius. The estate, vastly improved in fences, drains, forestry, and buildings, was transmitted in 1743 to his nephew, Sir David, the fourth baronet, who forthwith set about losing it all. Right honourably. Although at the time but a youth of twenty, he went out in the '45, taking with him, it is said to subsidise Prince Charlie's impecunious war-chest, the post-Reformation silver communion plate, of which nothing later is known. He fought at Culloden. He escaped from the carnage on

<sup>1</sup> Though they thus ceased to be lairds of the barony the Tweedies were still to be found in Stobo. On a precept of *clare constat* by John Murray of Halmyre, dated at Edinburgh, 5th December, 1623, John Tweedie, son of Mr. John Tweedie of Winkston (who was immediate younger brother of the late Adam Tweedie, apothecary), was infeft as his uncle's heir in 5 bovates of the Easter Knowe of Stobo, and in other bovates in Stobo, one of which was named Bourrisland, and of which the tenant was James Bour (*Part. Reg. Sas.*).

<sup>2</sup> For a more detailed account see chapter on Newlands (p. 31).

<sup>3</sup> *The True Interest of Great Britain, Ireland and our Plantations*, London, 1740.

the Moor and from the merciless first phase of the pursuit. His safety was cared for by that much-maligned relative of his, Mr. Secretary Murray,<sup>1</sup> who with a chivalry worthy of that chivalrous time gave his own most trusted servant, John M'Naughton, to be if possible the youth's pathfinder to safety. Guided by M'Naughton, who knew the language and all the ways of the Highlands, Sir David lurked through Lochaber, Appin, and Lorne, but was captured at length, carried prisoner to York, tried, and condemned to death. He was not, however, one of the eighty executed. He was so young, and Lord Hopetoun's advocacy so prevailing, that his sentence was commuted to banishment for life. He found refuge in France; and when the number of his years reached the name of his luckless adventure, forty-five, he died (1770).

After Sir David's expulsion from the realm, his heir presumptive, Uncle Charles, a custom-house officer, presuming, apparently, that perpetual exile was as good as a death, issued "A Map of the Barony of Stobbo now belonging to Charles Murray, Esq." In this he reckoned without the King in Council and "the Senators of the College of Justice." The estates were confiscated. Twenty-one years after Culloden—so long it took to settle matters after even so puny a war as the final Stuart rising—the forfeited properties were put up for sale by order of the Court of Session, and Stanhope, Menzion, and Stobo were purchased by the then Lord Advocate, James Montgomery, for the adequate price of £40,500.

James Montgomery was "the most remarkable man in Peeblesshire during the eighteenth century."<sup>2</sup> He was the younger son of William Montgomery, advocate, the laird of Coldcoat then newly named Macbiehill (p. 49). James, born at Macbiehill in October, 1721, received all his early education at West Linton parish school. He studied law in Edinburgh, was called to the Scottish Bar at the age of twenty-two, and at twenty-seven was appointed the first Sheriff of Peeblesshire with a salary of £150 a year. After representing Dumfriesshire in Parliament for two years, he was for seven years member of Parliament for his native county—his sole contribution to the Statute Book being an amendment to the law of entail. The lever of promotion came to him in the friendship of Lord President Dundas, who had him appointed Solicitor General at the age of thirty-nine. Six years later (1766) he became Lord Advocate.

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<sup>1</sup> *Memorials of Mr. Murray of Broughton*, by R. F. Bell, Scot. Hist. Soc. vol. xxvii. 294, etc.

<sup>2</sup> Chambers: *History*.





STOBO CASTLE



Instinctively obeying Scott's favourite *mot*, that as soon as a Scotsman gets his head above water he makes for land, Montgomery purchased a cheap piece of ground which was in process of being converted out of a dismal swamp called Blairbog into a comfortably appointed and humorously renamed estate *The Whim* (p. 65). To complete the whimsical transformation was just the sort of work he loved. Soon after he bought the small property of *Nether Falla*.

## MONTGOMERY OF STANHOPE AND STOBO



ARMS.—Quarterly : 1st and 4th Azure, three fleur-de-lis Or ; 2nd and 3rd Gules, three annulets Or, stoned Azure. Over all dividing the quarters a cross waved of the second, charged with a star between four crescents of the first.

CREST.—A Lady richly attired, her right hand resting on an Anchor, and in her left a man's head erased all proper.

MOTTO.—*Garde bien*.

At the age of forty-six he became, by the purchase of the Stobo estates, one of the most considerable landowners in his native county. Then by appointment as Lord Chief Baron of the Exchequer (1775) he took precedence as one of the most dignified and best paid Government officials in the county.

The success of his career was due in the first instance of course to his being a great lawyer—"soond and siccar." This was profitably seconded by a genius as eminent and diligent for dealing with land as Sir Walter Scott's for romance. Perhaps Scotland never had a keener farmer. Even when Sheriff of the County he rented and lived at a farm in Newlands.<sup>1</sup> He was the first to grow turnips in Tweeddale

<sup>1</sup> Wester Deans Houses.

—1754; the first in the county to utilise that agricultural triumph, the two-horse plough.

“O fortunatos nimium si bona norint  
Agricolas ! (Georgics, ii. 458.)

Montgomery had the Virgilian good fortune to know, and thereby to augment, his fortune. He married well, his wife being Margaret Scott, daughter and heiress of Robert Scott of Killearn. He had a rare gift of friendship. Among his intimate friends he numbered many of the best men of his day and even such a questionable character as “Old Q,” the reprobate, cock-fighting Duke of Queensberry, who liked him, trusted him and appointed him his commissioner. He had also the indefinable art of luck. When he bought his first parcel<sup>1</sup> of land “with the house furnished just as it stood he found on taking possession as much wine in the cellar as was worth all he had paid for the estate.”

He was not without his foibles. He succumbed to the then fashionable vulgarity of keeping a negro man-servant—one of the “handsome boys for the market: fancy articles entirely: sell for waiters and so on to rich uns” of *Uncle Tom’s Cabin*. Hannibal they called the poor alien, who died here in 1770.

By a natural contrariness the Lord Chief Baron, noted for economical habits, had a *penchant* for display. “I wish,” writes Lord Cockburn, “the Canongate could be refreshed again by the habitual sight of the Lord Chief Baron’s family, and company, and the gorgeous carriage, and the tall and well dressed figure in the old style of his Lordship himself.”<sup>2</sup> His stately progress had something of a triumph at the county town end of the journey when he “came thundering down the road from Venlaw to Peebles in his four-horse carriage.”<sup>3</sup>

But the road down which one comes thundering means on the return journey crawling up. Three miles an hour was the best that even he could do on the old Peebles to Edinburgh turnpike. At Montgomery’s instance the present well-graded road was built. So many other local improvements were effected by him, so ready was he with sound counsel and financial assistance for schemes of county development, so pleased to help Peeblesshire boys to a fair start and a lift up when deserving, so sure himself to pay the fine which he imposed on poachers, smugglers, and so forth rather than let their families suffer, that he was styled the Father<sup>4</sup> of the County.

Not but that a sough of mistrust might ruffle the robe even of this “most excellent and venerable old gentleman.”<sup>5</sup> The disposition

<sup>1</sup> The Whim purchased from Lord Islay. (Chambers, p. 509; Omond, i. p. 76 (see p. 65).)

<sup>2</sup> Quoted in Omond’s *Lord Advocates*, ii. p. 81.

<sup>3</sup> Chambers: *History*, p. 265.

<sup>4</sup> Findlater: *Dedication of View of Agriculture*.

<sup>5</sup> Cockburn’s *Memorials*.





SIR JAMES MONTGOMERY  
 THIRD BARONET OF STANHOPE  
 By Raeburn



SIR G. GRAHAM MONTGOMERY  
 THIRD BARONET OF STANHOPE  
 By Sir George Reid, P.R.S.A.



of Easter Happrew to him in 1801 by Old Q gave great offence to Old Q's successor, the Earl of Wemyss and March, who averred that the Duke had maliciously sold the farm out of "the exuberance<sup>1</sup> of his disregard for the interests of his heirs of entail." Seeing that Chief Baron Montgomery had acted at the sale as the Duke's commissioner, and his son, James Montgomery, counsel for the Duke, had been the actual purchaser, it did seem as if there had been room at least for collusion. An action was raised in the House of Lords. But the whole proceedings were found to have been in order; the price paid, £3,720, ample; and the transfer stood.

From the Exchequer he retired in his eightieth year with a baronetcy. He died on 2nd April, 1803, aged 82, and was buried in Stobo churchyard.

There are two great portraits of him by Raeburn; also a drawing by John Brown in Chambers' *History of Peeblesshire*. The severe pity of his countenance, and the resemblance of the legal robes and bands of the day to the clerical, suggest less a shrewd man of the world than an old Puritan divine.

He was succeeded by his second son—the eldest having died in 1800—James, who was laird of Stobo from 1803 to 1839. He inherited from his father an intimacy with Old Q and from Old Q himself a legacy, it is said, of £20,000, which was quoted against him when his purchase of Easter Happrew was challenged in the House of Lords. He at once set about building a new mansion on the site of the old Hill House. The architects were Messrs. J. & A. Elliot, Edinburgh. It took six years, 1805 to 1811, to build; but when built with its turrets and battlements all in right baronial style it deserved and received the name of Stobo Castle.

He was twice married—in 1804 to Elizabeth (daughter of Dunbar, fourth Earl of Selkirk), who died in 1814; and in 1816 to Helen, daughter and heiress of Thomas Graham of Kinross. Like his father he was an elder of the Kirk, and for many years the Presbytery's Commissioner to the General Assembly. He represented Peeblesshire in Parliament for thirty-one years (1800-31), yet, so far as known, never made a single speech.<sup>2</sup> He was appointed Lord Advocate (1804), avowedly because there was "no leading member of the Scottish Bar in Parliament,"<sup>3</sup> and even so only for fifteen months. In later life, although a strict accountant of his wealth, he was shadowed by a fear of poverty overtaking him. By the purchase of Drumelzier he restored Stobo to its primeval dimensions from Menzion to Lyne Water, but only for a few days. Scared at parting with the purchase price, he sold it again for the same money, £25,000, although presently it proved to be worth almost double. Perhaps like the interval who transmitted kingly qualities from Edward I. to Edward III., the second

<sup>1</sup> Papers before the House of Lords, p. 1.

<sup>2</sup> Omond: *The Lord Advocates of Scotland*, ii. 223.

<sup>3</sup> *Ibid.* ii. 223.

Montgomery's chief titles to remembrance are that he was the son of his father and the father of his son. Sir James Montgomery died in 1839.

The distinction of his successor, Sir Graham Graham-Montgomery (eldest son by the second marriage), consisted not so much in any particular services rendered to his

#### GRAHAM-MONTGOMERY OF STANHOPE AND STOBO



ARMS.—Quarterly: 1st grand quarter quartered 1st and 4th Azure, three fleur-de-lis; 2nd and 3rd Gules three annulets Or, stoned Azure, over all dividing the quarters a Cross waved of the second charged with a star between four crescents of the first, for Montgomery. 2nd Argent, a human heart crowned proper, on a chief Sable three escallops Or, all within a bordure Ermine for difference for Graham. 3rd grand quarters as the 2nd. 4th as the 1st.

CREST.—On the dexter side a Lady richly attired, her right hand resting on an anchor, and in her left a man's head erased all proper, and in an Escrol over the same this Motto, *Garde Bien*, and on the sinister an Escallop Or, and in an Escrol over the same this Motto, *Spero Meliora*.

country as in his gracious bearing, his unfailing courtesy, and admirably ordered life. Born in Edinburgh, 9th July, 1823, he was educated at the Edinburgh Academy and at Christ Church, Oxford, where he took his degrees<sup>1</sup> and became a member of the Church of England. His mother had died when he was five years old, his father when he

<sup>1</sup> B.A. 1845; M.A. 1864.



was sixteen, so that whenever he came of age he was master not only of the wide Montgomery domains in Peeblesshire but also of the historic house and estate of Kinross, comprising Loch Leven and its Castle, which he inherited from his mother, and for whose sake his surname was enlarged to Graham-Montgomery. At the age of twenty he married Alice, youngest daughter of John James Hope-Johnstone of Annandale, by whom he had four sons and four daughters. One daughter became Lady Dundas of Arniston, another Countess Temple, and a third the Duchess of Buckingham and Chandos.

He was elected member of Parliament—Conservative—for Peeblesshire in 1852 and continued to represent the county for twenty-eight years. He was Junior Lord of the Treasury from 1866-1868 and again in 1880, and there were hopes of his being raised to the peerage. But somehow or other he was overlooked by the Prime Minister, Mr. Disraeli, for whom Sir Graham seldom expressed any great admiration. The election of 1868, which he won by a narrow majority of three votes, was distinguished by "a certain liveliness." The windows of the Tontine Hotel, Peebles, Sir Graham's headquarters, were smashed, his "faggot-voters" mobbed, and his coachman—getting what Sir Graham would have got if he hadn't kept out of the way—had reason to grudge how slowly his fleet horses escaped from the town. At the next contest twelve years later he lost the seat, which had been held<sup>1</sup> by Montgomeries in the Conservative interest for sixty-nine years, to Sir Charles Tennant of Glen, Liberal. Party feeling was tart. Sir Graham, of course, took his defeat like a sportsman, and continued on friendly terms with his opponent; but the Stobo Castle ladies let the Glen ladies know their distance.<sup>2</sup>

<sup>1</sup> The Montgomery Record in Parliament is :

Chief Baron,	9 years (2 Dumfries, 7 Peeblesshire).
Col. William	3 „
Sir James	31 „
Sir Graham	28 „

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71 years.

<sup>2</sup> Mrs. Asquith's first vol.

Sir Graham was Lord Lieutenant of Kinross, Vice-Lieutenant of Peeblesshire, chairman of the County Council, and as unfailing in attendance at Parish Council and School Board as though he had had nothing else to do. When Sir Graham was in the chair business knew how to get itself transacted smoothly.

He managed his estates with a wise combination of economy and generosity. No man keener than he for good crops and top prices: no man better pleased to do such work as restoring Stobo Kirk (1863) at his own expense, founding the new school (1887) or building a fine new farm-house like Easter Happrew. He was on the curling pond as sure as the ice was bearing, and notwithstanding the loss of his left eye by a shooting accident in his youth he was a capital shot. To conversations with him I am indebted for many traditions of the parish.

There are two portraits of him by Mr. Lorimer—in Peebles and in Kinross—and another by Sir George Reid in the board-room of the British Linen Bank, of which he was a director. On the occasion of the Lorimer painting being presented to Peebles, Lord Napier and Ettrick said:

“The condition of a country gentleman in England or in Scotland at the present time is perhaps the happiest condition of human existence in the whole of society. This position Sir Graham Montgomery has occupied during a long life extending to the limits of our personal recollection; and he has occupied and exercised that position in every particular as a sacred trust. In presenting to you this portrait, I present to you the image of a gentleman, a landowner, a magistrate, and a Member of Parliament in whose pure and perfect record there is no reproach, no shadow of regret, no stain, no blame.”

“He never yet no vileyne ne sayde  
In al his lyf unto no maner wight.  
He was a verray parfit, gentil knyght.”

Sir Graham died in London, 2nd June, 1901, aged 77.

Next year, on the 7th November, 1902, his eldest son, Sir James Gordon Henry Graham-Montgomery, fourth baronet, formerly Lt.-Colonel, Coldstream Guards, fell from a night express train to London and was instantaneously killed.

Three years later the estate, overtaxed by two death duties in so quick succession, was sold by the fifth baronet, Sir Graham's second son, Basil Templar, to Mr. Hylton Philipson for £90,000.<sup>1</sup>

## PHILIPSON OF STOBO

Mr. Philipson, born in 1866, was educated at Eton and at New College, Oxford, where he graduated M.A. in 1889. He won the Amateur Championship of Rackets, and he was one of the best cricketers in England, playing for Eton, for Oxford, for Gentlemen versus Players, and for England versus Australia both in 1891-92 and 1894-95. In the business world his interests were chiefly with coal and marine engineering. In 1896 he married the Hon. Nina, fourth daughter of the tenth Lord Elibank, by whom he has two sons and a daughter. In 1920 he bought the adjoining property of Brownsland (p. 509) and Wester Happlew (p. 508) from the Earl of Wemyss and March, and in 1921 Glenbreck (p. 385) for his son, Mr. Hylton Ralph Philipson, from the trustees of the late Sir Walter Thorburn.

His gifts to the folk on the estate of a bowling green, tennis lawn and recreation hall with electric light are highly appreciated. Other improvements by him include the modernising of the interior of the castle, the extension of the terraces, and the construction on Stobo burn of two beautiful lakes teeming with Loch Leven trout. From the lower lake, where swans and various water fowl are at home, a water fall, twenty-two feet high, descends to a rock and water garden with numerous cascades recalling Captain Armstrong's<sup>2</sup> description of Stobo demesne a hundred and fifty years ago—"inimitably picturesque." Replete with rare and lovely plants, shrubs and trees, it is to the eye a delight—see it for choice in early June—and to the attentive ear, approaching or receding, or motionless to listen, a pervasive source of soothing, care-dispelling harmonies.

<sup>1</sup> This included Easter Happlew but not Stanhope or Menzion. The Whim had been sold in Sir Graham's time.

<sup>2</sup> *Companion to Map of Peeblesshire.*

In 1924 Mr. Philipson conveyed Stobo estate to his son, who, by the inclusion of the name of his mother's family, is now Mr. Hylton Ralph Murray-Philipson. He married (1923) Monica Beasley-Robinson, and has one daughter, Althea.

The present rental of the whole Stobo estate is £3317 13s. 6d.

## (2) DREVA

At Dreva—the name is said to mean building or homestead—stood a prehistoric fort on a rocky eminence commanding the opening of five glens (vol. I, p. 31). In 1302-4 the property is referred to as “Draych,” and belonging to the Bishopric of Glasgow: it has always formed a part of the barony of Stobo. The Tweedies—a branch of the Tweedies of Drumelzier—were vassals there from an early date.<sup>1</sup> Their tower has completely disappeared; but along with its brother stronghold, Tinnies, on the other side of the river, it so effectually dominated the pass of Tweed, that only by rare good fortune did the Gaberlunzie man (James V.)—according to a tale of the Borders—evade capture by, and payment of a mighty ransom to, the free-booting lairds of Drumelzier and Dreva.

Through blinks of good report and long tracts of ill the Tweedies lorded it at Dreva during the over-lordship of the Church. Their family history resembles Stevenson's “Strange Case”: moss-troopers, lawless, and heartless in one phase, yet in another good churchmen alike under the Roman and the Scottish Episcopal rule. In the one guise, they were mixed up in all sorts of criminal cases, from a renowned State trial<sup>2</sup> like that for the slaying of Rizzio, down to “waylaying John Russell between the Harrow and the Kirk at night and attacking him with drawn swords whereby they cut off two fingers of his right hand and left him for dead.”<sup>3</sup> In the other, they were at the Reformation entrusted by the Roman Catholic Church with the custody of the Sacramental vessels—a trust which, so far as known, they betrayed. By and by, in 1613, they were enriched by the (Reformed) Archbishop of Glasgow with the whole barony of Stobo, including the superiority of the lands of Dreva. Before seven<sup>4</sup> years were out they had, for their debts, to sell the entire property, which

<sup>1</sup> Probably from the beginning of the fifteenth century (*Tweedie Family*, p. 189). The lands then included Dreva, Muirburn, and Hopehead.

<sup>2</sup> Before the Privy Council, 22nd March, 1565-6.

<sup>3</sup> Sheriff Court Books.

<sup>4</sup> James Tweedie was in trouble in 1616, and the incident is interesting because of the reference to golf. Mr. James Easton complained to the Privy Council that while he was returning to Edinburgh from the links of Leith, “quhair he had been recreating himself at the gowff,” Tweedie attacked him with a drawn sword, and although he defended himself



ever since has been combined with the Stobo estate. Lacklands by their own default, all the more they cherished with pathetic persistence such a love for the old place that nearly a century later it was still their desire to get back to the homestead of their family, were it only as tenant farmers.<sup>1</sup> Even for this modest ambition they had not sufficient capital. Boxing the compass of ecclesiastical trust, they applied for and obtained a loan<sup>2</sup> of £40 from the Presbyterian Kirk Session of Stobo, which by a poor-despoiled freak of church accountancy was then acting as banker to the neighbourhood. With the repayment of this loan they disappear from our records.

During the latter part of the seventeenth century and the beginning of the eighteenth Dreva was occupied by a branch of the Russells of Kingseat, a small estate (now Slipperfield) in the parish of West Linton. Two lairds of Kingseat, both named William Russell—the second William was a “holy terror”—were ministers of Stobo about the same time (1688-1733). Wealth and culture are indicated by the beautiful monument of the Dreva Russells built into the east outer wall of Stobo kirk (1692). After the Russells came Alexander Stevenson, who, about 1739, acquired the estate of Smithfield or Venlaw (vol. 11, p. 341). “Aye bien farmers in Dreva.”

The present rent is £341.

### (3) ALTARSTONE

(Part of the Barony of Stobo)

Altarstone owes its present name to a large stone near the farm-house on the north side of and close to the road. This stone, being flat on the top, was, it is averred, a Druidical altar. But the name is a recent invention. In 1620 there was an Alterhous<sup>3</sup> which, however, was not the farm: the Itinerary by Dr. Pennecuik, 1715, enumerates “Drevach and Drevach-Shiels and upon the hill above, the famous skailly-quarry”—not a hint of Altarstone farm on which the quarry

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with “his cloob,” he received many blows and would have been killed had not people interfered. Tweedie did not appear, and was ordered to enter himself in ward within the Tolbooth, an order which he would doubtless disobey.

In 1622 James Paterson, in “Myreburn,” was accused by John Tweedie of Winkston, a son of the laird of Dreva, of driving his cattle “into the close of Dreva, and thair with swords and knyves cutting the tails and rumples of ten or twelke of the poor beasts . . . shamefully mangling them.” He denied the charge and was acquitted. (*Reg. Priv. Con.*)

<sup>1</sup> The present representative of the Dreva Tweedies is Robert Waugh Tweedie of Coats (*Tweedie Family*, p. 191).

<sup>2</sup> Kirk Session *Records*, 1779. Among other clients, for £80, was Robert M'Queen, advocate, afterwards Lord Braxfield.

<sup>3</sup> Sheriff Court Books.

stands. The farm of Drevach-Shiels on the marshy level was moved up hill; and the new farm was designated with a new name—not Altarstone but, as shown in Mr. Charles Murray's *Map of the Barony of Stobo* about 1747, Arthur's Stane. Thus a connection was feigned with King Arthur, with Merlindale a little further up Tweed, and with other nominally Arthurian places in the vicinity. The local pronunciation was and is A'terstane. The great flat-topped boulder, a delinquent from the quarry, which is within a stone-throw of it, suggested an altar to amateur archaeologists in the same way as certain marks on its upper surface corroborated the superstition that a witch, being hunted in the shape of a hare out of Manor, leapt from the brow of Scrape clear over the valley, and alighting on the monolith made with her claws—that kind of hare has claws—those dents which are visible to this day.

The tenant of the farm in 1780 was Adam Hunter, "a poor and illiterate man"<sup>1</sup> whose belief, perhaps not ill-founded, that he was the rightful heir to Polmood was hardly beaten out of him by a litigation which extended over forty years (p. 457).

The present rent is £240.

#### (4) THE SLATE QUARRY

The slate quarry of Stobo was once reckoned "an inexhaustible fund of wealth to its proprietor" (Armstrong). Its slate was "as good" as the kingdom affords (Pennecuik), and "inferior to no slate whatever" (first *Statistical Account*). The best known houses in Edinburgh were roofed with it, and the Town Council of Peebles supplied "sklatts from Stobo" to the President of the Court of Session for the building of Craigmillar House (vol. ii, p. 57).

The quarry was costly to work, for the slate was only found in "pockets"; the rubbish even yet looks nearly enough to fill the hollow. The only access was by a steep narrow track, and the slates had to be carried away on pack-horses bearing not more than two cwts. at a time. When carts became available they could not load up direct, but had to wait in the valley till their cargo was brought down to the "alter-hous." As soon, therefore, as the fine light Welsh slate found its way north by steam traction, the expensive, heavy Stobo slate went out of use, and the "inexhaustible fund of wealth" was exhausted. The quarry is still worth a visit: sheer rugged cliffs, vast accumulation of debris, and over all a pathetic sense of the silenced toiling and moiling of vanished generations. Here the father of the Black Dwarf earned his meagre living.

A long building of two storeys and attics provided accommodation for quarrymen and their families. Sheltered from the east wind and from the north, with a fine declivity for drainage, and a supply of pure water, it is the healthiest nook in Stobo. Sometimes it is jocularly

<sup>1</sup> Chambers' *History*.

called Cheat-the-Beggars or Cheats, because seen from the main road it looks like a mansion.

### (5) THE KIRKLANDS OF STOBO

These lands would lie in the vicinity of the parish church, but there is very little information about them. There is record of a contract in 1556 between James Baird, son of the deceased Alexander Baird of Hallmanor, and James Tweedie of Fruid, whereby Baird renounced his right to the Kirklands, which were then in the occupation of James Stewart.<sup>1</sup> The previous occupier was Robert Crichton, tacksman of the vicar, and after him the said Alexander Baird. James Stewart continued to occupy the lands, along with Margaret Weir, wife of the said James Tweedie of Fruid, and in 1562, her husband being then dead, she assigned her right to her natural son John Tweedie.<sup>2</sup> Thereafter, in 1580, Robert Douglas, the vicar of Stobo, with consent of the Archbishop of Glasgow, granted a charter of the Kirklands, for a feu duty of 40s. to John Tweedie, tutor of Drumelzier, from whom they passed to his daughter Marion in 1606.<sup>3</sup> In 1635, they were granted by Crown charter to Sir David Murray of Stanhope and his son John, and are there described as the "terras vicarie de Stobo" with the pasturage of 24 souns, lying on the east of the lands of Stobo, in the parish of Stobo. They appear again in 1654 in the service of William Murray of Stanhope,<sup>4</sup> and they have since then remained a part of the Stobo estate.

### (6) HAPPREW

The estate of Happrew extended from the lands of Ladyurd (parish of Kirkurd), along the right bank of the Water of Lyne to the Tweed, and from early times was a property distinct from the barony of Stobo; in 1214 pains were taken to define it from the adjoining lands of Stobo and Orde (Kirkurd).<sup>5</sup> It belonged to Sir Simon Fraser of Oliver and Neidpath, who by a charter (1291-1306) granted to the monks of Melrose free passage for their waggons and carts through "my land of Hoprew."<sup>6</sup> From him it passed in 1306, along with the Neidpath estate (vol. II, p. 291) to the Hays of Locherworth (afterwards of Yester), and they took Happrew as an additional designation. "Baron of Hoprew" was the title of the eldest son and heir of the lords of Yester for many generations. In the fifteenth century, perhaps earlier, the property was divided into two parts, Wester and Easter.

<sup>1</sup> Burgh Court Books.

<sup>2</sup> Peebles Protocols.

<sup>3</sup> R.M.S. (1593-1608), No. 706.

<sup>4</sup> Peebles Retours.

<sup>5</sup> *Reg. Glasg.* p. 90.

<sup>6</sup> *Ibid.* p. 303.

## (7) WESTER HAPPREW

This was a £20 land (1040 acres). It adjoined the lands of Ladyurd, and in 1435 there was a dispute between Davy the Hay, Lord of Yester, and William Geddes of Ladyurd who had encroached on Wester Happlew to the extent of two merks thereof (about 35 acres). This ground must have been taken to satisfy some claim he had, for it was agreed that if Geddes could acquire ground elsewhere, of similar value, Hay would pay 40 merks or even £40 Scots towards the price, and that Geddes would then restore the piece of Wester Happlew of which he had taken possession.<sup>1</sup>

There were Browns, as tenants, in Wester Happlew during the sixteenth century and later, related no doubt to the Browns of Brownsland (p. 509), and connected apparently with friar Gilbert Brown, minister of the Cross Kirk (vol. II, p. 24), who about 1540 gave the lands of Floors in Peebles to Robert Brown, son of the deceased John Brown in Wester Happlew.<sup>2</sup>

Wester Happlew was wadset in 1653 to William Douglas of Over Drochil for 7000 merks, and redeemed by the Earl of Tweeddale in 1668.<sup>3</sup> The property remained a part of the Neidpath estate till 1920, when it was acquired, along with Brownsland, by Mr. Hylton Philipson of Stobo for £9000.

The present rental is £370.

## (8) THE KIRKLANDS OF WESTER HAPPREW

The Yester family, who, as we have seen, were the proprietors of Happlew, founded in the fourteenth century a chapel dedicated to St. Michael the Archangel, and mortified for its support the adjacent lands. The site of the chapel is not known, but it was probably near the Wester Happlew burn. In 1433, in order to determine the tenure of the lands, an inquest was held at Stobo by Sir Thomas de Tudai (Tweedie), vicar of the parish churches of Innerleithen and Eddleston, Mr. William Foulis, keeper of the Privy Seal, who was also rector of Stobo, and a jury of twenty-two.<sup>4</sup> Their finding was that these lands were held in return for the performing of two masses every week in the chapel, one on Wednesday and the other on Friday.<sup>5</sup> But as time went on little regard was paid to the ordinance, and one morning, on 20th March, 1503-4, at half-past nine o'clock, John, Lord

<sup>1</sup> *Yester Writs*, No. 39.

<sup>2</sup> *Peebles Protocols*.

<sup>3</sup> *Gen. Reg. Sas.*

<sup>4</sup> *Yester Writs*.

<sup>5</sup> A further endowment was made in 1447 by Sir David Hay of Yester of "one acre of Wester Happlew lying on the north side and between the torrent and the Halecroft" (*Yester Writs*). In 1464 an agreement was made between John the Hay, of Wester Happlew, and Mr. Robert Esse, vicar of Stobo, for the reparation of St. Michael's Chapel of Wester Hoprew," towards which the vicar agreed to contribute £20 (*Ibid.* No. 127).



Hay of Yester, appeared in the churchyard of Stobo. There he accosted the chaplain, Sir Andrew Young, and asked if he were the Commissary of Stobo. He replied that he was. Then said Lord Hay—"My ancestors, the Lords of Yester, founded a chapel in Wester Haprew of St. Michael, and mortified to it certain lands and the manse, for service there twice weekly for their souls, for which service the vicar of Stobo holds these lands, and yet neither the vicar himself nor any other celebrates that service"—and asked for an explanation. Sir Andrew acknowledged that for the past seven years no service had been held. The only excuse he could suggest was that when the vicar officiated in the chapel there would be no divine service in the parish church of Stobo.<sup>1</sup> And that is all we know about the chapel.

But there is further record of the lands. In accordance with the Act of Parliament requiring churchmen to feu their possessions, Ninian Douglas, vicar of Stobo, on 15th January, 1536-7, granted, with consent of Gavin, Archbishop of Glasgow, two charters, apporportioning the kirklands of Wester Haprew.

One of these dealt with Brownsland—of which presently—the other assigned a 20s. land to Thomas Alexander, son of John Alexander, for a feu-duty of £4 Scots, on condition that Thomas and his heirs resided there, built houses and planted nine plantations of trees. He was succeeded in 1565 by his brother Robert, in whose precept for infettment the property is described as the 40s. Kirkland of Wester Haprew, showing that additional ground had been acquired. He sold it in 1575 to William Veitch of Kingside.<sup>2</sup> There is no further trace, and it may be assumed that the property became merged in the lands of Wester Haprew.

The other charter was to Nichol Brown, for a feu-duty of £4 Scots, of ground lying alongside the Wester Haprew burn. This possession became known as Brownsland.

## (9) BROWNSLAND

### (PART OF WESTER HAPREW)

This was a 40s. land, and the Brown family continued in possession for over two hundred years. To Nichol succeeded his son William in 1554, who was followed in 1616 by his son John, who in turn was succeeded in 1673 by his son James, and James in 1756 was succeeded by his son George.<sup>3</sup> Apparently a strong healthy stock, for each laird, on an average, held the lands for over fifty years.

<sup>1</sup> *Yester Writs*, No. 272.

<sup>2</sup> James Russell of Slipperfield may have acquired it, as he is referred to in the wadset of 1653, already noted, to William Douglas as having held a part of Wester Haprew.

<sup>3</sup> The precepts for the infettment of George and his father and grandfather were all granted by the minister of Drumelzier, who had acquired or assumed the title of perpetual vicar of Stobo, and was the superior of the land.

But the almost incredible right of Runrig, *i.e.* to crop every alternate ridge of the adjacent fields, must always have exasperated neighbour farmers. Infraction of the unity of the surrounding ducal estate at length roused old Ahab in the coming Duke of Queensberry, "Old Q," who, it is said, by cutting off access to the land coerced George Brown into selling it to him.

"Old Q" was really more intent on ready money than on leaving a compact estate to his heir-at-law. He sold it (1797) to Craufurd Tait, W.S., Edinburgh, the father of Archbishop Tait, who named one of his sons after the laird of Brownsland. But the Archbishop's father "ruined himself <sup>1</sup> by unremunerative agricultural experiments and had to sell his estates"—Brownsland in 1806 <sup>2</sup> to Alexander Gray, tacksman of Lyne, for £990. From Mr. Gray it was acquired in 1849 for £3800 by the seventh Earl of Wemyss and March, and from the trustees of the eighth Earl in 1920 by Mr. Hylton Philipson of Stobo.

#### (10) EASTER HAPPREW

These lands, as extensive as Wester Haprew, lie between Brownsland and the Tweed. They remained a part of the Neidpath estate till 1801, when "Old Q" sold them to Sir James Montgomery. Since then they have been part of the estate of Stobo.

On the farm of Easter Haprew is the prehistoric fort called Hoghill, "one of the most remarkable forts in Peeblesshire."<sup>3</sup> Mungo's Well, which gives its name to one of the fields on the farm, is a spring, now covered over and draining unnoticed into the Cloy burn, but still paying a never frozen tribute to the memory of Stobo and Glasgow's patron Saint. The name may be a mediæval attribution. But in view of the fact that a well, as at Sychar, may be as constant as anything that earth can show, it may have come down direct from Mungo's personal use.

When the Presbyteries of Peebles and Biggar used to meet as one, the meeting-place was the old farm-house of Easter Haprew. Here, in 1688, after the interval of Stuart Episcopacy, the ministers constituted themselves into the first Presbytery under the Revolution Settlement. In the "ben" of the old farm-house Mr. William Russell (1689-1699) was ordained.

The farm-house is as good a specimen of the modern farmer's dwelling as there is in the county. The old farm-house, still tenanted by the farm-grieve, is a typical survival of the old style. With the regular five windows and a door to the front and occupying the higher ground, it formed with its dairy the north side of the square; the

<sup>1</sup> *Dictionary of National Biography.*

<sup>2</sup> The charter and relative documents are in the possession of Mr. James Gray, of Mount Charles, Moffat.

<sup>3</sup> Dr. Christison: *Society of Antiquaries of Scotland*, vol. xxi.

adjoining stables, byres, and cart-sheds made up the other sides; and the midden occupied the middle. For convenience of working there was nothing to beat this; and health neither did nor does suffer by the arrangement, although in comparison with modern plans it is odorous.

The present rent of Easter Happrew is £422 7s. 6d.

### (11) SHERIFFMUIR

#### (PART OF EASTER HAPPREW)

Sheriffmuir derives its name from its having been the parade ground where the County Militia used to be inspected by the Sheriff of the county. The neighbouring ford through Tweed is called The Sheriff's Ford. The convenience of the moor for such a purpose made it again, during the late war, the meeting place of the local volunteers on Sunday afternoons for company drill.

After the kirk, the moor contains Stobo's most important trace of antiquity. The first *Statistical Account* (iii. p. 326) describes at great length how it looked in 1792. Since then it has passed from open heath, through a period of arable cultivation, to its present condition of enclosed pasture. There remain only two Standing Stones—one 4 ft. 4 ins. high, the other 3 ft. 10½ in., 6 ft. 11 in. apart at the base—and the Pinkie's Hole, 108 yards in circumference, in the plantation between the road and the railway: a line connecting the stones and extended south touches it at 84 yards.

Tradition, which "is as frequently an inventor of fiction as a preserver of truth," asserts that the standing stones are the sole remains of a Druid temple, and that Pinkie's Hole was the sacristy where the sacrificial procession was marshalled.

At a later period—so it is claimed "undoubtedly" by Armstrong<sup>1</sup> and "probably" by Ker<sup>2</sup>—the stones marked the site of a grave, perhaps of a Border Chief fallen here in battle; and Pinkie's Hole was "the general repository of those who deserved not particular interment." It may be so. But careful digging by three men (18th July, 1921) brought nothing to light.

Sheriffmuir, however, does offer too fair a field for battle to have been wholly neglected through all the centuries of Border warfare. Here or hereabout was fought at least one memorable, although minor, engagement in which one of the captains was Sir William Wallace. In the accounts of Edward I. for the year 1303-4<sup>3</sup> a payment is recorded of forty shillings to a "messenger who brought news of a defeat wrought by Sirs William le Latyner, John of Segrave, and Robert of Clifford over Sirs Simon Fraser and William le Waleys at Hopperewe." Easter Happrew is the farm which comprises Sheriffmuir, and on a

<sup>1</sup> *Companion to Map of Peeblesshire.*

<sup>2</sup> *Statistical Accounts.*

<sup>3</sup> *Bain's Cal.*, vol. iv., p. 474.

site which to this day is called the Castle Knowe,<sup>1</sup> within a bow-shot of the battle-field, the Frasers of Oliver and Neidpath had a tower.<sup>2</sup> In this tower Wallace, still under the disablement of his defeat at Falkirk, deserted by his Papal and French allies, hemmed within a surely contracting circle of English troops, and specially excluded—the one single exclusion—from all hope of amnesty, found a friend not only to allow him shelter, but when the hostile bands were closing in on their prey to fight for him. It was for a forlorn hope, and an apparently lost cause under a proscribed chief, that ten years before Bannockburn the Laird of Happrew and his retainers faced the southrons on or about Sheriffmuir. The same spirit inspired them as in a later century prevailed with the Laird of Stobo to fight for and lose his land for Prince Charlie. At Happrew the battle was lost. The Scots were cut down: but not before they had cut a way out for their hero. Call it a skirmish; it was nothing more. In the late war it would hardly have been mentioned as “a scrap.” But for us it is of this memorable interest: that among the Scots “wha hae wi’ Wallace bled” were Stobo men.

The scene of the encounter is a very small plain with nothing of the spacious gorse-lit glory of Coldingham Moor, nothing of the spacious desolation of the Moor of Rannoch, little even of the prominent historic interest of its namesake near Dunblane. Motorists are past the road-men’s dwelling and over and beyond the plateau or even they are aware. But its poor hundred acres enshrine vestiges, for ever now inscrutable, of

“Old unhappy far-off things  
And battles long ago.”

## (12) DAWYCK

### (EASTER DAWYCK AND DAWYCK MILL FARMS)

Stobo south of Tweed consists of the farm of Easter Dawyck (rental £260 19s. 2d.) and part of the farm of Dawyck Mill (rental £190 15s.). An account is given of the estate of Dawyck in the chapter on Drumelzier (p. 434).

Toward the end of the eighteenth century the factor was Walter Scott, W.S., Sir Walter Scott’s father, by whose orders the old peel tower at Easter Dawyck was used as a quarry for building the present farm-house; and at Dawyck Mill an almost perfect specimen of the cromlech (*crom* curved, *leach* stone) or dolmen (*daul* table, *maen* stone), “a sepulchral construction of the stone age” called Arthur’s Oven, consisting of “two or more upright stones and one flat stone laid

<sup>1</sup> The sheep-fold in a clump of trees on the right midway between the high road and the farm-house.

<sup>2</sup> The ruins were observed by Armstrong in 1775.



across as a roof, all of remarkable size,"<sup>1</sup> was broken into pieces to form a culvert for the stream. This utilitarianism in the father—even if due to his own sentiment suppressed in favour of his employer's profit—is a curious contrast to his son's romance.

Concealed in the plantation east of Dawyck Mill are extensive ruins of a mansion, known to schoolboys as Bats' Castle, which was never completed. An old laird of Dawyck in his old age, so it is said, married for reason showing, one of his domestic servants. Intent on making amends to the woman of whom he had taken advantage, and forecasting that she would surely survive him, he set with uxorious speed about building a dowager-house for her and her boy born some three months after the marriage. The derision of the neighbourhood changed into something like sympathy for the old gentleman when next spring his young wife died, and he ordered the masons to desist. "*Pendent opera interrupta minaeque murorum.*"<sup>2</sup>

Besides the large estates and farms there were among "the nineteen towns of Stobo" (p. 487) several small holdings which appear from time to time in the records. Of some of these the names still survive in hamlet or cottage—Harrow (originally Halraw), Hopehead, Muirburn. Of others, the very names have in the ups and downs of life passed out of use: Hillhouse is now Stobo Castle, and Frost Hole (a smithy and smithy land on Wester Happlew by Tarth Water) has been wholly thawed away.

<sup>1</sup> Professor Veitch, quoted in *Highways and Byways in The Border*, p. 347.

<sup>2</sup> Aen. IV. 88.

## CHAPTER IX

### THE PARISH OF LYNE AND MEGGET

#### LYNE

##### I

LYNE is a small parish about  $3\frac{1}{2}$  miles in length by 3 miles in width, situated on the river of that name, which for three miles forms its boundary on the south and south-west side. It lies about four miles west of the town of Peebles, and is bounded on the east and north-east by the parishes of Peebles and Eddleston, on the north-west by the parish of Newlands, and on the south-west by that of Stobo. More particularly the perambulation of the parish may be said to be from the meeting of the Meldon Burn with the Lyne, and up the former round the Black Meldon Hill by Harehope, then down the Stevenston Burn until it falls into the Lyne, and then down the Lyne to the starting-point near Lyne Station.

The population of Lyne and Megget in 1755 was 205. There was then a village in Lyne which extended from Lyne Townhead to where the farm cottages now stand. It must have been of considerable size, as there were two blacksmiths' shops and a number of people engaged at nailmaking, which was the industry of the parish. The population of the united parish in 1792 was 152;<sup>1</sup> in 1831 it was 156; in 1861 it was 134. Now the population of Lyne alone is 78, the smallest in Scotland.

The old public road passed the farm of Stevenston in Newlands along the north side of the river Lyne, climbed the hill to near Hamildean farmhouse, went

<sup>1</sup> Lyne 72, Megget 80.

through a field behind the manse and joined the new road at Hall-Lyne, which was constructed a hundred years ago.

Lyne contains 2781 acres, and the present rental is £1429 13s. 6d.

## II

The earliest reference to the exercise of any property rights in the parish is in the time of King William the Lyon (1180-1209), when David de Lyne and his son Robert de Lyne were the owners. There was at that time a chapel on the estate to which claim was made by the Church of Stobo, and Robert de Lyne resigned it in favour of that church.<sup>1</sup> He died without male heirs, but left a daughter, Margaret de Lyne, who married Sir John de Haya, the ancestor of the Hays of Yester and Earls of Tweeddale, and she brought with her to him not only the Lyne estate, but also that of Locherworth or Borthwick in Midlothian, which likewise belonged to the Lynes. The parish, or the greater part of it, continued in the possession of the Yester family, and was formed into the barony of Lyne<sup>2</sup> in which the successive Lords of Yester and Earls of Tweeddale took sasine until 1686, when it was sold with other lands to the Duke of Queensberry. It has since remained part of the Neidpath estate.<sup>3</sup>

Among the actual possessors and occupiers of the barony, mention is made in 1435 of Alexander de Geddes of Lyne<sup>4</sup> and in 1528 and later it was in the hands of Mr. George Hay of Menzion, as vassal (a brother of John, second Lord Hay of Yester), who had some dispute with his nephew John, third Lord Hay, about the latter's spoliation of Lyne, the nephew accusing his uncle at the same time of doing the same thing to him on his lands of Belton and Gammilstoun, but they seem to have composed it by the

<sup>1</sup> *Reg. Glas.* p. 72.

<sup>2</sup> In 1478 the barony of Lyne and Haprew is said to be valued at £38 yearly (*Yester Papers*, No. 188).

<sup>3</sup> See vol. ii. p. 291.

<sup>4</sup> *Yester Papers*, No. 65. He was probably a vassal of the Hays.

arbitration of friends.<sup>1</sup> Lord Hay also charged his uncle with contempt of his baron courts.<sup>2</sup>

Mention is also made in 1579 of Gilbert Hay of Lyne, who was brother of John Hay of St. Leonards (Smithfield), and the references to Lyne of later dates seem to indicate that the lands were leased in small parcels, of which the Veitches had some throughout the sixteenth and seventeenth centuries. When the property came into the possession of the Duke of Queensberry, tenants whose names occur are Walter Laidlaw in 1737, John Gibson and his nephew James Gibson in 1768, and Alex. Gray in 1776 ; and later, in 1816, William Gray, tenant in Wester Happlew, was served to his brother, Alex. Gray in Lyne, both being sons of the deceased Capt. Alex. Gray, late tenant of Lyne.

There are now only two farms in Lyne Parish, but formerly there were other distinct holdings—Scrogs, Hamildean, Hallyne, Lynesmill and Lynetownhead. Of these some notice may be taken.

#### SCROGS

The name has almost faded out of remembrance, and it is not marked on Armstrong's map. Robert de Scrogs lost his life in the service of David de Lyne, and because of that the latter, about 1208, granted Scrogs to Robert's son, Simon. From his name, the father would seem to have been in occupation of the property, and the gift to the son would be by way of compensation. It is described as a half ploughgate lying on the water of Lyne below Hamildean.<sup>3</sup> The *reddendo* was twelve pennies

<sup>1</sup> *Yester Papers*, Nos. 469, 470.

<sup>2</sup> In November, 1550, John, Lord Hay of Yester, Baron of Lyne and Happlew, summoned a Court to be held at the Mill of Lyne in which Bessie Fynlaw, the widow of Duncan Kid accused John Brown in Edston of theft and homicide. It is doubtful, however, if she proved her case, as in the following year she and her son, William Kid were removed from their steading in Edston, which was then reckoned within the Barony of Lyne. (Peebles Protocols.)

<sup>3</sup> Dr. Renwick describes the charter and other writs connected therewith in his *Historical Notes*, pp. 163-171. They provide an instructive specimen of mediæval conveyancing.



yearly at the feast of St. Martin, and the lands were thirled to Lyne Mill. There was a "tower" on the lands, which is marked on Blaeu's map, alongside the "Birks of Lymm" (Lyne). The property appears to have been wooded in early times, and the first owners had the privilege of taking the timber for the erection of dwellings. In Pennecuik's time, Scrogs and Scrogwood are referred to as consisting mostly of birks and alder, and in 1815 a part of the wood was still in existence, "with a few venerable straggling birches showing their white trunks scattered over the dark heathy slopes."<sup>1</sup>

Simon almost immediately disposed the property thus bestowed on him to the Bishop of Glasgow, and Robert de Lyne confirmed it to the Bishop, relieving him of some of the servitudes which had been imposed upon his henchman. Moreover, the Pope also added his confirmation in 1216.<sup>2</sup> About 1480 William Caribers and his wife, Elizabeth Balbirnie, were in possession, and on his death his brother, Sir George Caribers, a priest, made up his title thereto as heir, and conveyed it to James Lindsay, Dean of Glasgow, who, on founding the altars of St. Stephen and St. Laurence in the Cathedral Church of Glasgow, endowed them with the half part of Scrogs in the barony of Stobo; this half after the Reformation was conferred upon the College of Glasgow as part of its patrimony. Scrogs was thus divided into two.

Mr. George Hay of Menzion, to whom reference has already been made, had a charter in 1520 of one fourth of Scrogs<sup>3</sup> (or one half of the half belonging in superiority to the College of Glasgow) from James, Archbishop of Glasgow. The other fourth in 1533 was in the possession of John Cowan, on a precept from Gavin, Archbishop of Glasgow; Cowan disposed his part to Mr. George Hay of Menzion (also called of Monkton) and Eupham Wauchope, his spouse, in 1536, and to them in 1539 the Archbishop

<sup>1</sup> Pennecuik: *Description*, 1815 ed.

<sup>2</sup> *Reg. Glasg.* pp. 73-76.

<sup>3</sup> In this deed Scrogs is said to be a £20 land of old extent, but that must be a mistake, although there may have been considerable additions to the original grant of half a ploughgate (52 acres) to Simon of Scrogs.

granted a charter of resignation of both quarters or one half of Scrogs. Twenty years later it was in the possession of John Hay of Scrogs (probably a son of Mr. George) and Barbara Cockburn, his spouse.

The other half of Scrogs in some way or other came into the hands of the Maitlands of Thirlstane as superiors, but it must also have been in the possession of George Hay of Monkton, as in 1592 Gilbert Hay of Monkton was infeft in this half as heir of Mr. George Hay, his grandfather, on a precept of *clare constat* from John, second Lord Thirlstane (afterwards first Earl of Lauderdale); and in 1596 his son, Mr. George Hay, had a charter of the other half from the Rector and Regents of the College of Glasgow. Alexander Hay of Monkton, elder brother and heir of conquest of this Mr. George, had both halves in 1627, and in the course of adjudication proceedings at the instance of Alexander Logan, baxter, and burgess of Edinburgh (which were probably taken with a view to the fortification of Alexander Hay's title), it is stated that the apparent heirs of Mr. George Hay were Thomas, Peter and Alexander Hay, and Jean Hay, wife of William Carmichael. Alexander Logan obtained decree of adjudication in 1629, which he immediately assigned to the said Alexander Hay, who thereupon had charters from the College of Glasgow of the one half the feu-duty of which was 14 merks 6s. 8d. Scots, and from John, Earl of Lauderdale, of the other half, the holding of which was blench for payment of 4 lb. of wax and  $\frac{1}{2}$  lb. of incense.<sup>1</sup>

In 1594, however, there was a Thomas Hay of Scrogs, who seems to have been the occupier, and he was probably the Thomas referred to above as one of the apparent heirs of Mr. George Hay. He was dead in 1633, but left a son James Hay<sup>2</sup> of Scrogs, to whom Alexander Hay disposed

<sup>1</sup> According to the table of conversions of blench duties in use before the Union, 4 lb. of wax=40s. ;  $\frac{1}{2}$  lb. of incense=£1 13s. 4d.

<sup>2</sup> He was summoned before the kirk-session for playing football and dancing on Sabbath. He admitted playing football, but said it was his wife who danced. She was duly summoned and failed to appear. After this, John Hay desired to worship in Stobo, and asked for permission to remove his seat from Lyne Kirk.

both halves, and who had charters of them in 1633 from the respective superiors. He sold them to John, Lord Linton, in 1646 for 12,000 merks (a price which shows that the lands were then of considerable extent), but falling into debt, this proprietor, in 1666, then second Earl of Traquair, wadset them to his creditors, and they were acquired by John, second Earl of Tweeddale, to whom James Hay of Scrogs, with consent of the said Earl of Traquair, Alexander Hay of Monkton and others, granted a disposition. Scrogs thereby became and has since remained part of the Neidpath estate. While in Traquair's hands they were set in tack for the time to Archibald Hamilton in Lyne and Robert Hamilton in Coldcoat, both brothers of John Hamilton of Coldcoat, and also to Richard Veitch; but latterly the lands, or at least a part of them, seem to have been absorbed into the farm of Hamildean.

#### HAMILDEAN

This farm was often called Hamiltoun, and to distinguish it from the place or hill of the same name in the adjacent parish of Peebles it was sometimes described as Hamiltoun of Lyne. Like the rest of the lands in the parish, with the exception of Scrogs and Lynetownhead, it became the property of the Hay family on the marriage of Margaret de Lyne and Sir John de Haia, and has remained part of the Neidpath estate. The earliest reference to it is in 1563, when Mathew Brown in Hammiltoun was a witness to a transaction at Scrogs.<sup>1</sup> The tenants, however, were a family of the name of Veitch, who are often mentioned simply as being in Lyne, but with sufficient evidence to identify them as in Hamildean. James Vache is mentioned in 1555, Thomas Vache in 1560, and William Vache in 1562. In 1596 Alexander Vaitche in Hammyltoun, lawful son of the deceased William Vaitche of Kingsyde, has a wadset from Lord Hay of Yester of some lands which included a brewland in the town and territory of Lyne, and he is called guidman of Hamiltoun in 1589 when he acted as one of the executors of William Brown in Wester Haprew. Andrew Veitch was in Hamiltoun of Lyne in 1614, and to him his nephew William Veitch was served heir in 1627. His daughter Janet married William Veitch, a notary in Peebles in 1631, and it was probably their son, William Veitch in Hamiltoun, who married Helen, daughter of Robert Walker in Hallyne, in June, 1657. There was then a Richard Veitch in Hamiltoun, whose three sons, William, John and Alexander, were prosecuted as conventiclors in 1684; and a number of others of the

<sup>1</sup> Peebles Protocols.

name were in the parish at this time. In 1743 James Kello (a Biggar name) was tenant in Hamildean, and had a daughter Janet married to Archibald Stevenson, merchant in Peebles; and George Kello was tenant in 1774. In 1789 the tenant was Richard Whyte, and in 1829 William Whyte. John and James Purdie, grandsons of Thomas Purdie of Lynetownhead, occupied the farm for 40 years until 1920.

The present tenant is Walter John Lunn, and the rental is £378 2s. 6d.

#### HALLYNE

Of Hallyne little is known. It is sometime designated the Hall of Lyne, which indicates that it was the centre or chief messuage of the parish and estate. From the name one would naturally expect that there would originally be a dwelling-house here for the lord of the manor. But there is no trace of one, and even the name is not marked on Blaeu's map, which only shows a mill on the site. Penne-cuik does not mention the name. There was a farm in connection with the place, and the tenants' names occasionally occur—Janet Masterton in 1651, Thomas Salton in 1707, James Deans in 1737, James Linton and Kathleen Lawson his spouse in 1754, and Alexander Dickson in 1768.

Here the Parish Church stands on an eminence, and is a prominent object in the landscape. It probably occupies the same site as the original chapel of which mention has already been made. A short distance west of the church are the remains of the Roman camp, of which notice has been taken elsewhere.<sup>1</sup>

<sup>1</sup> See vol. i. p. 41; Pennecuik states that the camp in his day was called "Randal's Walls," and Armstrong refers to a tradition that Sir Thomas Randolph (afterwards Earl of Moray), nephew of King Robert I., built the church of Lyne, and had a house on the site of Lyne camp, the remains of which were called "Randal or Randolph's Walls." There are no traces of these remains now, and there is no evidence that Randolph ever held any lands in the parish. There may, however, have been a house in the vicinity, the ruins of which were called by that name to commemorate the following incident. Late one night in the years 1308 or 1309, the "Good Sir James of Douglas" came to a house on Lyne Water intending to rest there, but found it already occupied. He crept under the window, and, listening, recognised the speech of Englishmen. He set his men round the house, and by a sudden assault overpowered those within. Two of the prisoners were of immense importance—Sir Thomas Randolph and Sir Alexander, brother of James the Stewart, and first cousin of Douglas himself (see vol. ii. p. 9).



Hallyne is the centre of this unique little parish which contains no mansion-house, only two farms (Lyne and Hamildean), a church, a manse, a school and the school-house,<sup>1</sup> with two cottages, one occupied by a blacksmith and the other until recently by a joiner.

#### LYNESMILL

In the charter to Simon of Scrogs, about 1208, reference is made by David de Lyne to his grain mill, and in 1647, when the Earl of Tweeddale had confirmation by Charles I. of his lands and barony of Lyne, there was both a corn and a walk mill. Blaeu's map indicates that the mill formerly stood on the haugh beside Hallyne, and this was probably the site of the original mill where in 1550 the Baron's Court was held. In 1557 John Law was tenant of the mill, and in 1560 was accused of killing Robert Graham of Slipperfield; but as Thomas Tweedie, Captain of Neidpath, John Brown in Edston, Ronald Scott, one of the Bailies of Peebles, and several of the burgesses declared on oath that Law was in Peebles at the time of the slaughter, he was declared innocent.<sup>2</sup> He was still in the mill in 1569.

Another mill had been erected before 1628 at the bridge near the foot of Lyne Water, as there is a reference in that year to William Veitch at the Bridge of Lyne Mill, which would account for the two mills mentioned in the charter of 1647. From that date down to 1838 there are frequent references to the millers of Lyne, including William Brown, who was miller there in 1774, and to whom the Rev. C. Findlater alludes as a "millwright in Lyne Parish who has erected and who keeps in repair the greater part of the machinery in Tweeddale."<sup>3</sup> His descendants occupy the farm of Drochil. Both mills have now entirely disappeared.

#### LYNETOWNHEAD

This is another farm which has ceased to have a separate existence, though it was an independent possession as late as 1860. It was a Temple land, held of the preceptors of Torphichen as Lords St. John, and seems to have been situated on the Meldon road, beyond the farm of Lyne, and adjacent to the farm of Harehope.<sup>4</sup> Dr. Renwick thinks

<sup>1</sup> The earliest reference to the school is in 1616 when William Grey was the schoolmaster and doctor (*Sheriff Court Books*).

<sup>2</sup> Peebles Protocols. <sup>3</sup> Findlater: *Agricultural Survey*, 1802, p. 25.

<sup>4</sup> The description as given in the titles is "a piece of Templeland, with the common pasturage of beasts and souns of grass as well outfield as infield, through all the fields of the whole village and territory of Lyne

it formed part of the old lands called Gillebechistun given by Elena de Morville to the monks of Melrose.<sup>1</sup> Its history can be traced, however, from 1523, when Andrew Paterson was confirmed in it as heir to his father, Thomas Paterson, by a precept of *clare constat* from George, Lord St. John, master of Torphichen. This confirmation was renewed in 1555 by James, Lord St. John, as Andrew's charters and evidents had been burned in the English invasion. In 1562 Andrew married his daughter Isabel to John Hunter, and made over the lands to them, and they were succeeded by their son Andrew Hunter in 1613. On a precept by Thomas, Earl of Haddington, then superior of the Temple lands in Scotland, James Ker, called portioner of Lyne, was infeft as heir of the said Andrew Hunter, his maternal grandfather, and in 1727 he was succeeded by James Ker, glazier in Peebles, his grandson, who married Janet Shields and had a son Archibald, a merchant in Edinburgh.

Archibald Ker had two sons, the elder, Alexander, becoming a millwright in London, and the younger, Samuel, a goldsmith, in Edinburgh; and in 1791 Samuel, by commission from his brother, made up titles to the property and sold it to William George Burrell of Edinburgh, who in 1810 disposed it to John Swan, a tanner there. Swan passed it on in the following year to William Purdie, farmer at Kingside, who had a charter in 1812 from Robert Hill, W.S., the superior. His nephew, William Purdie, eldest son of the deceased John Purdie, tenant in East-loch, who was the immediate elder brother of William Purdie of Lynetownhead, was infeft as heir in 1838, and received a precept of *clare constat* from the superior, John Black Gracie, W.S.

In 1842 Thomas Purdie, farmer at Cowbraehill, as *curator bonis* to William Purdie, disposed the property to

used and wont to pertain to said Temple lands in the village and barony of Lyne." This is of no assistance for identification. But the Lyne common where the pasturage rights were exercised was at the north-east corner of the parish, next to Harehope.

<sup>1</sup> *Historical Notes*, pp. 51, 172.

Francis, Earl of Wemyss and March, who gave a bond for the price, £2000, which was to remain a real burden on the property until William Purdie's death or restoration to health. William Purdie was dead by 1860, in which year the said Thomas, then farmer at Stevenston, being his immediate younger brother, was served as his heir, and had a writ of confirmation from John Whitehead, S.S.C., the superior. The bond was then discharged, and a supplementary disposition granted to the Earl of Wemyss and March. Lynetownhead thereby became part of the Neidpath estate, and in 1876 the Temple superiority was purchased from the heirs portioners of John Whitehead, the last superior, the lands being now held direct of the Crown.

Lynetownhead is now part of the farm of Lyne, which also includes the old holdings of Hallyne and Lynesmill. The present tenant of Lyne is William Gladstone Davidson, and he succeeded William Currie Ritchie, who died in 1916. The rental is £744 12s. 6d.

## MEGGET

### I

Megget, along with the parish of Tweedsmuir, forms the southern extremity of Peeblesshire. It is distant from Lyne about fourteen miles, with the Tweed and the parish of Manor between. It extends for a mile or so along the side of St. Mary's Loch, and includes the whole valley of the Megget burn (which flows into the loch) and its tributaries, the Henderland, Glengaber, Craigierig, Cramalt, Winterhope and other burns. The length from north to south is about seven miles, and the breadth about six miles; and the extent is over 14,000 acres. The boundaries are—Yarrow on the east, Ettrick and Moffat on the south, Tweedsmuir on the west, and Manor on the north. The population in 1792 was 80; it is now 104, according to the last census, but that figure may be considered high, as a number of fishers visit Megget in the summer. It is a wild and beautiful district, buttressed on either side by parallel ranges

of high hills, and dominated by the great plateau of Broad Law (2754 feet).

There are four sheep farms in Megget, namely : Henderland (rental £471 5s.), Cramalt, Craigierig and Megget-knowe (£439 18s.), Syart, which includes Shielhope and Winterhope (£575 14s.) and Meggethead (£250 6s.). Henderland is the only one with a resident farmer. The others are managed by shepherds. There is very little arable ground, and no crops are raised except at Henderland, where there are a few fields, in all about fifty acres. According to the first *Statistical Account* (1794) there were then in Megget 12 inhabited houses, 15 horses, 54 black cattle, and upwards of 10,000 sheep.

It is of interest to mention that the farmer in Henderland and the late gamekeeper at Cramalt were married to the granddaughters of the famous Tibbie Shiels, and that four of the shepherds are called Hogg, grand and great-grand-nephews of James Hogg, the Ettrick Shepherd. In Lyne the people change, in Megget they seldom do. Most of them were born in the valley, and there they contentedly live looking after their sheep. An intelligent, well-informed people, proud of the traditions and history of their countryside.

Prior to 1621 Megget was considered part of the parish of Traquair or St. Bryde, but in that year it was joined to Lyne for civil and ecclesiastical purposes. This junction was the result of a supplication in 1621 to the Scottish Parliament by John, eighth Lord Hay of Yester, and the "possessours of the landis of Rodonno"—(the territory of Rodono, which now includes only the property of that name adjoining Megget on the east, was apparently at that time held to include Megget also)—"desyreing that the samin landis of Rodonno" should be declared to be part of the parish of Lyne; and also craving permission for Lord Hay "to build a kirk upon the maist commodious place of his landis of Roddono or Megget, for serving of the inhabitants thereof at such tymes as they suld be impedit by storms of wether from cuming to the kirk of Lyne."<sup>1</sup> Several reasons have been given for joining two parishes so far apart. The late Dr. Williamson of West St. Giles gives as the reason "Lyne was the nearest principled Kirk." This may be so, for although Yarrow Kirk, then

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<sup>1</sup> *Act. Parl. Scot.* iv. p. 607. Rodono itself was not included, as it had always been in the parish of Ettrick.



situated where St. Mary's of the Lowes once stood, was much nearer, it was in a different county and presbytery. It is just as possible, however, that it was to suit Lord Hay's convenience, as he was much the largest heritor in both parishes. He held all Megget except Henderland, and all Lyne except Scrogs and Lynetownhead. It was a ridiculous arrangement that the Megget people should be expected to attend a kirk fourteen miles away until one was built there, which according to the supplication was apparently only intended for use in bad weather. And though the union of Lyne and Meggat was thus effected,<sup>1</sup> Lord Hay never built a kirk at Megget, and that district was without one till the beginning of the nineteenth century.

In the past three hundred years various attempts have been made to dissolve this union. One or two nearly succeeded. If the revolution settlement had been delayed a few years longer the minister would have been removed to Megget, and Lyne joined to Stobo. About 1870 Lord Napier suggested that by Act of Parliament Megget with adjoining portions of Ettrick and Yarrow should be erected into a separate parish for civil and ecclesiastical purposes and Lyne added to the parish of Stobo. The Earl of Wemyss objected, and the matter was dropped. For civil purposes, however, Megget was joined to Yarrow in 1892 by the Boundary Commissioners.

## II

The district of Megget was originally part of the royal forest of Ettrick, and was a favourite hunting-ground of the Scottish monarchs till the time of Queen Mary. King James V. was there frequently, and in September, 1529, there is an entry in the records of £3 for "twa ellis of Pariseblak, to be ane cloak to the king to ryde to the hunting in Megotland," and later there is another £3 for carrying to Megget the royal pavilions from Peebles. On 2nd July, 1530, the king and his retinue set out from Peebles, and beginning at Megget "hounded and hawked" all the countryside. He was back in Peebles on the 13th, hunted down Megget burn to Cramalt, and returned on the 18th. During that expedition, says Pitscottie, they killed eighteen score of deer.<sup>2</sup>

<sup>1</sup> It did not, apparently, take effect at once. For more than forty years afterwards, Henderland and other places in Megget continued to be described as in the parish of St. Bryde of Traquair.

<sup>2</sup> The following, taken from the account of an expedition in the seventeenth century, may serve as descriptive of the manner of hunting :

"500 or 600 men do rise early in the morning, and disperse themselves in divers ways, 7, 8, or 10 miles compass. They bring or chase in the

These expeditions of the king (who had a large force with him) were not mainly for pleasure; the principal object was to bring the notorious border thieves within reach of the law. Queen Mary and Darnley were at Megget in August, 1566, but the outlaws of the forest having driven off the deer they got "na pastyme of hunting," which annoyed them considerably. They held a court at Rodono, and charged all the lieges that "nane tak upoun hand to schute at deer." This had no effect, and in 1576 a further effort was made to improve the forest. An Act of Council was passed to prevent the lieges from shooting deer within the bounds of "Megotland," and others "where our sovereign lord's progenitors had wont to have their chief pastime of hunting," or to bring in "any maner of Inglismen to hunt," or to hunt themselves at any time between Fastern's Eve and midsummer.

"Randulf of Meggete" was one of the witnesses to the perambulation of the marches of Stobo, about the year 1200.<sup>1</sup> He is the earliest proprietor, or occupier, of whom there is record, and nothing more is known about him. With the exception of Henderland, the lands came into the possession of the Hays of Yester, but only a few of the writs have been traced. In 1236 there is a reference to Thomas of Hay, who held lands either in Megget or the immediate vicinity.<sup>2</sup> He is not recorded as one of the Yester family, but he may have been a son of Sir John de Haya, who acquired properties in Peeblesshire through his marriage with the daughter of Robert de Lyne. There is nothing further till 1462, when Sir David Hay of Locherworth and

deer in many herds (two, three or four hundred in a herd) to such a place as shall be appointed; then when day is come, the lords and gentlemen do ride or go to the said place, sometimes wading up to the middles through burns and rivers; and then being come to the place, do lie down on the ground till the scouts do bring down the deer. Then after we had staid there three hours or thereabouts, we might perceive the deer on the hills round about us, which are chased down into the valley, where we lay; then all the valley on each side, being waylaid with a hundred couple of strong Irish greyhounds, they are all let loose as occasion serves upon the herd, that with dogs, guns, dirks and daggers, in the space of two hours, four score fat deer were slain" (Craig Brown: *History of Selkirkshire*, p. 136).

<sup>1</sup> *Origines*, i. p. 223.

<sup>2</sup> *Ibid.*

Yester granted to his son John (afterwards first Lord Hay of Yester), on the latter's marriage with Marion Lindsay, *inter alia*, Fulyarde, Scheilhoipe and Winterhope (on the south side of Megget burn), with an annual rent from Cramalt<sup>1</sup> (on the north side), these lands being then part of the barony of Lyne. In 1509 (7th October) King James V. granted to John Hay, son and apparent heir of John, first Lord Hay of Yester, the £20 land of Fulyarde, Scheilhoipe and Winterhope, then in the barony of Happlew.<sup>2</sup> On 6th October, 1576, William, the sixth Lord, was served as heir to his father in *inter alia* the lands of "Meggot," which by a charter from King James VI., on 27th February, 1590-1, were incorporated into the barony of Yester.<sup>3</sup> The Scotts of Buccleuch acquired rights over Megget, but whether as superiors, proprietors or wadsetters does not appear. In 1661 (17th October) Anna, Countess (afterwards Duchess) of Buccleuch was served as heir of provision to her sister Mary in the lands and barony of "Meggett," comprehending the lands and manors of Cramalt, Stept, Craigierig, Spleitriebræ, and Shielhope.<sup>4</sup> Whatever these rights were Megget was still with the Hays of Yester in 1686 when John, second Earl of Tweeddale, sold it along with his Peeblesshire lands to William, first Duke of Queensberry; and thereafter it shares the history of the Neidpath estate.<sup>5</sup>

### III

At the entrance to Megget is a small hamlet called Cappercleuch. It contains three houses all comparatively modern, a police station, built shortly before the Great War, a small cottage and a well-built house, formerly the Free Church school and schoolhouse. Opposite the police station there stands a public hall built of wood, erected through the subscriptions of the people in the district, and opened in October, 1924. At the far end of the hamlet, on a little height, is a small United Free Church,

<sup>1</sup> Yester Writs.

<sup>2</sup> *R.M.S.* v. No. 1830.

<sup>3</sup> See vol. ii. p. 291.

<sup>4</sup> *R.M.S.* ii. No. 3378.

<sup>5</sup> Peebles Retours.

built at the time of the Disruption and opened by Dr. Chalmers. Further up the valley is the farmhouse of

#### HENDERLAND

Henderland was a £10 land, lying at the foot of the Megget burn, and on the side of St. Mary's Loch. The boundaries cannot now be precisely defined, but it included Cappercleuch, and was one of the earliest known original homes of the Cockburn family.

#### COCKBURN OF HENDERLAND



ARMS.—Argent, a mullet between three cocks, gules.

There was a Nigel de Cockburn of Henderland prior to 1311, who is supposed to have been the son of Piers de Cockburn who swore fealty to Edward I. of England at Berwick in 1296. This proprietor (who may have been a brother of Alexander de Cockburn of Langton, the head of the Skirling (p. 214) branch of the family), had his lands taken from him for refusing to acknowledge Edward I. as Overlord of Scotland, and they were given to Robert Hastang. They were restored, however, by Edward II. in 1311, Nigel having come, as it was said, to the King's peace. He had a son Peter or Piers de Cockburn, who also had a son Piers and to whom in 1383 Robert II.





LORD HENDERLAND  
From Portrait by Martin



KATHERINE LINDSAY  
Wife of Lord Henderland



granted a charter of "Henriland," and others, including part of Kirkurd (p. 180), which had belonged to his (Piers) father, who was then still alive.

Of one or other of those Piers there exists a memorial in the shape of a flat stone on the top of a wooded knoll a short distance up the Megget burn from St. Mary's Loch, which bears upon it the inscription: *Here lyis Perys of Cockburne and hys wyfe Marjory*. There was originally a church in the vicinity of this tomb, and the vestiges were in existence in 1834 when the second *Statistical Account* was written. In 1476 mention is made of John Glado as rector of Henderland. Piers Cockburn, the second, had at least two sons, William (who succeeded) and Thomas, who in 1462 was appointed chaplain to the chapel of St. Michael in Peebles, and three years later was one of the "Bryg-masters" who superintended the building of the bridge over the Tweed at Peebles. There was also a daughter Margaret, who married Sir Walter Scott of Kirkurd and Branhholm.

William Cockburn had his estates forfeited in 1464 for taking part with the Douglasses against the Crown, and James III. gave them to William Douglas of Cluny. But the forfeiture of Henderland was short, for in three months time the King restored them to him. He married Katharine Rutherford, and was succeeded by his son William. Gilbert Cockburn, who became one of the proprietors of Glen (vol. ii. p. 537), was probably another son.

William Cockburn, the second, was found guilty of treason, and beheaded in Edinburgh in May, 1530. His treason consisted in conspiring with two Englishmen (Alexander Forestare and his son) "to the plundering of Archibald Somerville"; and that is practically all we know about him.<sup>1</sup> In printing that beautiful ballad, *The Border Widow's Lament*, Sir Walter Scott in his *Minstrelsy of the Border* attaches it to this incident of Henderland history;

<sup>1</sup> He was tried, along with Adam Scott of Tushielaw (the "King of Theivis") before "ane greit conventione of the Lordis—the King himself sittand in judgement." They were accused of theft, reset, "slauchter and uther crymes" and "heidit (beheaded) and thair heidis fixed upon the Tolbuith of Edinburgh" (see vol. i. pp. 63 and 182).

but, without the least authority, and to heighten the effect he makes Piers of Cockburn, whose name is on the stone, the subject of the tragedy. It is a pity that the story, for it is a good one as told by Sir Walter, must be put down as one of his "random inventions." But this must be remembered. The raid of King James V.<sup>1</sup> from Peebles into Megget and Ettrick is true enough, and although *The Border Widow's Lament* has no connection with that, there still remains the tradition of the district which definitely associates that ballad, handed down as it was from generation to generation, with a Cockburn of Henderland and his wife Marjory.

William Cockburn's estates were forfeited, and given by King James V. to one of his pages of honour, James Fleming, brother of Malcolm, third Lord Fleming. They remained with this family for some years, and Malcolm, the third Lord, and his son James, the fourth Lord, had tacks of them in 1542 and 1552 respectively from the Queen-Dowager. King James VI. in 1580 gave a tack to John, sixth Lord Fleming (afterwards first Earl of Wigtown), of the £10 lands of Henderland which, it was stated, his predecessors had held in tack; and in 1584 a signature for a charter of the lands to him was prepared, but it does not seem to have proceeded any further.<sup>2</sup>

The executed laird left a son William, who seems during his banishment from Henderland to have taken up abode with John, Lord Hay of Yester at Neidpath, as he is frequently mentioned in connection with transactions there between 1550 and 1560. In 1542 he complained to the Regent, James, Earl of Arran, that he had been "havelie (heavily) hurt throu the haisty justyfeing (execution)" of his father, and "fforfalling of him thairthreu"; and later, though not till 1580 or after, and probably through some arrangement with the Earl of Wigtown, Henderland was restored to the family.

<sup>1</sup> It is said that the King in these punitive expeditions, which were fatal also to Adam Scott of Tushielaw, Johnie Armstrong of Gilnockie, and many others, followed the *Thief's Road* up Drumelzier glen and down Craigierig burn into Megget. Traces of this road, which was used by the Border raiders, are still in existence.

<sup>2</sup> Wigtown Inventory.



William Cockburn was dead before 15th December, 1563, when his son George is called "of Henderland,"<sup>1</sup> and he, dying in September, 1571, left a son and successor, William Cockburn of Henderland, who as such served on a jury for "retouring" . . . Brown in Hartree. He is said to have married a daughter of Alexander Lauder of Haltoun (who in 1624 is called superior of Henderland),<sup>2</sup> and in 1615 he has an elder son of his own name, as in that year William Cockburn of Henderland, elder and younger, obtained decree against Robert Scott in Wrae for his removal from the lands of Henderland. But he had a second wife, Helen Eckford, to whom on 25th August, 1620, he gave a charter of his 5 merk lands of Broomielaw, being part of Henderland, in security of an annuity of 100 merks, and by her he had a daughter Elspeth.<sup>3</sup> William Cockburn, elder, died before 16th October, 1623, on which date his son, William Cockburn, then of Henderland, was served as his heir and took sasine (his own son John acting as his attorney) in the lands of Broomielaw, and the 2½ merk lands of Brigend (another part of Henderland) on 24th March, 1624, the witnesses being Francis Cockburn, his brother, and Richard Cockburn, another son of his own.

This William Cockburn did not long survive his father, for on 7th July, 1624, Samuel Cockburn, then of Henderland, his eldest son, was infeft in the 5 merk land of Broomielaw and the 2½ merk land of Brigend on a charter thereof by Alexander Lauder of Haltoun; and Daniel Cockburn, another son of the last deceased William, was the witness. In 1631 the lands were appraised by Andrew Hay, W.S., and on 22nd March, 1634, Samuel Cockburn sold Henderland, Broomielaw and Brigend, with consent of his wife, Elspeth Govan, and William Govan of Cardrona, her father, to John, eighth Lord Hay of Yester (afterwards first Earl of Tweeddale). Samuel was the last of the Cockburns of Henderland, but he had a son Samuel, who was made a burgess of Peebles on 17th August, 1646, and a son John,

<sup>1</sup> This designation, however, in view of the grants to the Flemings, affords no evidence that the lands had then been restored.

<sup>2</sup> *Part. Reg. Sas.*

<sup>3</sup> *Ibid.*

who was apprenticed in 1646 to George Robertson, a goldsmith of Edinburgh.<sup>1</sup>

After this the barony of Henderland is said to be in the hands of John, first Earl of Traquair, in 1638,<sup>2</sup> and was disposed by Charles the fifth Earl, to William, third Earl of March, afterwards fourth Duke of Queensberry (Old Q.) on 17th September, 1757, who in 1765 created a mid-superiority probably for voting purposes by granting a feu charter thereof to James Veitch of Elliock. This superiority was conveyed the following year by the Earl to Walter Williamson of Chapelhill in liferent, and the Earl himself in fee; and the same year Veitch disposed back the property to the Earl, who conveyed it in 1774 to Charles, third Duke of Queensberry and second Duke of Dover, who was the uncle of the Earl's grandfather, William, first Earl of March. On the death of the Duke in 1778 the property came back to the third Earl, who was his heir, and became fourth Duke of Queensberry.

In 1781 Henderland was sold to Alexander Murray, Solicitor General for Scotland, son of Archibald Murray of Murrayfield and grandson of Alexander Murray of Cringletie.<sup>3</sup> He married in 1773 Katharine, daughter of Sir Alexander Lindsay of Evelix.<sup>4</sup> He was M.P. for Peebles-

<sup>1</sup> For other descendants and information about this family, see *The Cockburn Family Records*, pp. 100-110.

<sup>2</sup> David (Carnegie), first Earl of Southesk (who died in 1656), had also a title to the lands, probably as a creditor of Traquair; and his son James, the second Earl, was served as his heir on 11th May, 1658, in the lands of Henderland "within the parochin of St. Bryde" (Peebles Retours). Traquair married the first Earl's daughter Katherine.

<sup>3</sup> See vol. ii. p. 494.

<sup>4</sup> This lady is referred to in Cockburn's *Memorials*. "Mrs. Murray was stately, even to stiffness; but friendly and high minded; calm and lady-like in her dignity. The ceremonious formality of her air and demeanour was made graceful and appropriate by a once beautiful countenance still entire in its best features, but attenuated into such a death-like paleness, that, but for the unquenched light of a singularly radiant eye, she would have been a human statue." She lived at No. 122 George Street, Edinburgh, in the beginning of the nineteenth century, and was almost 100 when she died; she was born before the Porteous mob, and well remembered the '45. Her sister married Allan Ramsay, the portrait painter (son of Allan Ramsay, the poet), and had one son, General Ramsay, who on his death in 1845 left his property to his cousins, the Murrays of Henderland.

shire, 1780-83, and in 1783 became a Lord of Session, and was known as Lord Henderland. He died in March, 1795, and was succeeded by his son, William Murray of Henderland; and he, again, was succeeded in 1855 by his brother, Sir John Archibald Murray of Henderland, who also became a Lord of Session in 1839, and took as his title Lord Murray. He married in 1826 Mary, daughter of William Rigby of Oldfield Hall, Cheshire, and granted a disposition of his estate in 1855 to his wife in liferent and to James Wolfe Murray of Cringletie<sup>1</sup> in fee. Lord Murray died in 1859, and by a contract in 1863 Henderland became the property of the Earl of Wemyss and March (with whose family it still remains) in exchange for some property in the parish of Eddleston.<sup>2</sup>

#### GLENGABER

About half a mile above Piers Cockburn's grave there is a shepherd's cottage, and close to it the Glengaber burn; it is here that the road or rather track from Manorhead joins the Megget one. Gold was at one time found in this burn, and specimens are to be seen in the Museum in Peebles. Glengaber in the Crown Roll of 1455 is entered as a hamlet in Ettrick Forest, and in 1508 belonged to David Hoppringle in Tinnies. In 1628 it was one of the Buccleuch possessions.<sup>3</sup>

#### THE CHURCH AND SCHOOL

Half a mile further on there are a few cottages and a modern school and schoolhouse, built jointly by the School Boards of Lyne and Yarrow when the management of school affairs was transferred to the parish of Yarrow. A few hundred yards further there is a little church, built of iron and wood, erected by the Earl of Wemyss in 1905 to take the place of an old rather picturesque stone building, which was built in 1804, and of which the lower part was used as a school and the upper, reached by an outside stair, as a church. The materials for this old church and school were conveyed over Manorhead on pack-horses, and the farmers in Megget defrayed the cost, an act of generosity difficult to understand, as the heritors were bound by law to provide a church for the people of Megget. It is a pity that the new

<sup>1</sup> See vol. ii. for Pedigree of Murrays of Cringletie.

<sup>2</sup> See vol. ii. p. 508.

<sup>3</sup> Craig Brown: *History of Selkirkshire*, i. pp. 390-1. The Buccleuchs, however, were probably only wadsetters.

building was not of stone and erected on the site of the pre-Reformation church at Henderland. Before the church and school were erected in 1804 both the minister and the schoolmaster travelled from farmhouse to farmhouse during the summer months preaching and teaching. The duties of the minister being mostly confined to Sundays, he rode or walked from Lyne, starting about six o'clock in the morning and returning the same night—a distance of at least twenty-six miles. The schoolmaster generally resided in Megget during the summer months, enjoying the hospitality of the farmers in whose houses he taught. The last schoolmaster who taught at Lyne during the winter, and at Megget during the summer, was Mr. Thomson, who is still affectionately remembered by many former pupils now elderly men. In 1854 a schoolmaster was appointed for Megget and the old arrangement ceased.

A little beyond the church is the gamekeeper's lodge, and beside it the modern farmhouse of

#### CRAMALT

Opposite the keeper's lodge are the ruins of a castle or tower, which seems, says Pennecuik :

“ to have been an old hunting house of our Kings, for I saw in the hall thereof a very large *Hart's-horn* upon the wall for a clock-pinn ; the like whereof I observed in several other country men's houses in that desart and solitary place, where both *Hart* and *Hynd*, *Dae* and *Rae* have been so frequent and numerous of old.”

Armstrong records the tradition of the countryside that it was the residence of “ Meggot of Meggot.”

The farm of Cramalt, or part of it, was occupied by one family, Anderson by name, for three hundred years. They only gave up possession about twenty years ago. There was a John Cesfurd in Cramalt in 1561,<sup>1</sup> and in 1732 the tenants are given as John and James Anderson and Christian Borthwick.<sup>2</sup> In 1762 Michael Anderson, tenant in Cramalt, had for his wife Marion Tweedie, daughter of Alexander Tweedie in Menzion, and a decree of removing from one-third of Cramalt was obtained against him in 1771<sup>3</sup> by Walter Anderson, principal tacksman of Cramalt and Winterhope. In 1823 John Anderson, tenant in Cramalt, and John his son took a lease of Castlehill and others in Manor from James Burnet of Barns.<sup>4</sup>

#### CRAIGIERIG

lies at the foot of the Craigierig burn, about half a mile below Cramalt. It was sometimes called Craigsheilrig, and while in the hands of the Yester family, it was tenanted at least from 1645 by John Linton,

<sup>1</sup> Peebles Protocols.

<sup>2</sup> Sheriff Court Books.

<sup>3</sup> Barns Muniments.

<sup>4</sup> Barns Muniments.



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and Adam and Thomas, sons of John Linton in Blackhouse. Shielhope, a little further up the Megget water, was occupied by Adam Linton. In 1732 Walter Grieve and James Anderson were tenants of Craigierig.

### SYART,

on the south side of the Megget water and opposite the Glengaber burn, was occupied in 1629 by Adam Linton. A Helen Linton was still there in 1684, when she and her husband, John Stoddart, were brought before the Sheriff Court for attending conventicles and having a child baptised at one. Stoddart refused to tell the minister's name or where or when the baptism took place. His wife, who at first did not appear, was ordered to be apprehended, and to prevent this he then told that the child was baptised, according to his wife's statement, at Henderland by a Mr. Lamb. Stoddart was thereupon put under caution of £100 to produce his wife. As they did not appear on the day appointed, order was given for the apprehension of the whole family, and the uplifting of the penalty. They appeared, however, at the next weekly sitting of the Court, when the wife stated the child was born in January and baptised by Mr. William Lamb at a place called the Inch, which is a common between Syart and Henderland, and that she held up the child herself, being a maid child called Helen. It was baptised, when about five weeks old, in the middle of the night. She declared further she was very sorry for her foolish proceedings. On being again summoned it was found they had left the shire, whereupon all persons were discharged from resetting them, and sentence of banishment was pronounced.<sup>1</sup>

The Andersons were also tenants of Syart from 1732 to at least 1820. Thomas Anderson is there in 1751, and in 1820 George Anderson, then tenant in Nether Barns, was served heir to his uncle, James Anderson, tenant in Syart.

### WINTERHOPE

is the valley at the foot of which lies Meggetknowes. The Winterhope burn takes its rise not far from Loch Skeen, and about two miles from its mouth is a lonely shepherd's cottage.

### MEGGETHEAD

Less than a mile beyond Meggetknowes is the shepherd's house at Meggethead, standing at an elevation of about 1200 feet. In Penne-cuik's day, the house on this high lying farm was "deservedly called *Dead-for-Cald.*" Armstrong quotes that with approval, for he had no love for high places, and considered Megget "the most inhospitable, bleak and disagreeable corner of Tweeddale." Two miles beyond Meggethead is the boundary of Tweedsmuir.

<sup>1</sup> Sheriff Court Books.

## CHAPTER X

### THE PARISH OF MANOR

#### I

THE first thing that strikes one in connection with this parish is its name, especially in its modern pronunciation, Manor, M-A-N-O-R. There has indeed been much curiosity about this. We are quite accustomed to the use of the name as applied to separate estates either singly or in combination, such a use being common throughout both Scotland and England. But it is somewhat novel to find it employed, as in the present case, to denote a whole district or parish. This, however, is the modern spelling of the name. In the Middle Ages the spelling was *Menar*, *Menner* or *Menere*. Later on, as appears from the *Kirk-Session Records*—of which the earliest entry is dated 1663—the parish was known as *Manner*, and the name is spelt so on the baptismal laver of 1703 now in the custody of the Kirk-Session. From 1776 to 1832 these records have the modern form of the name *Manor*, but from the later date to 1839 there is a reversion to the older form *Manner*, no doubt due to the then Session-Clerk's liking for things antique. It should be noted, however, that the local pronunciation has always been and still is "Maener," when the inhabitants have to use the name, which is seldom, for they prefer to speak of the place as "The Valley," or even more as "The Water." This local pronunciation may very likely be the correct one, for in 1186 in the decretal of Pope Urban III. the parish is called *Maineure*, and it has been suggested by Professor Veitch that the derivation is from the Cymric root "maen," a stone, the same form as in

Manchester. *Maenawar* is the Welsh for a district comprehended in a stone boundary, and hence *Manor*.

The parish of Manor is one of the southern parishes of the county, and includes within its bounds the valley of the Manor Water and the tributaries of that stream. It is bounded on the south by Megget, on the north and east by Peebles, and on the west by Stobo and Drumelzier. The Manor Water takes its rise in Shielhope Head at Manorhead, 2000 feet above sea-level, and winds its way for upwards of ten miles to its junction with the Tweed—a total descent of 1400 feet. The lower part of the valley is the agricultural part, consisting of six farms, from which, although the soil is light, good crops are produced. The upper part, which is narrow and bounded on either side by steep and lofty hills, themselves intersected by deep glens with their streams, is now almost wholly pastoral, although at an early period cultivation seems to have been carried far up the vale, perhaps to its very head. Later on, however, tillage was abandoned in those upper reaches, which may account for the old rhyme :—

“ There stands three mills <sup>1</sup> on Manor Water,  
A fourth at Posso Cleuch ;  
Gin heather bells were corn and bere,  
They wad get grist eneuch.”

There is evidence that in the days of old a comparatively large population flourished in the upper part of the valley, but now this district, once so populous, is a vast solitude, with no mortal sight save that of the passing wayfarer or the shepherd on his lonely rounds.

The early Cymric tribe of the Gadeni, which inhabited Peeblesshire before the advent of the Romans, has left its record not only in the name of the parish but also in other place names still in use, *e.g.* *Glack*, a pass in the hollow between two hills, and *Glenrath*, the fort in the glen. Relics of that vanished tribe and earlier races have been found, and some of these have already been referred to (vol. i. p. 25).

<sup>1</sup> Mills were a common sight in early days, for each proprietor preferred to have his own, unless his lands were thirled to another mill in the vicinity.

A very fine stone axe was got at Castlehill, and is now in the Museum in Edinburgh, and a small stone axe was found not long ago at Cademuir. About fifty years ago a small unbaked urn with burned bones inside and a stone coffin were found on the lawn at the Manse, and remains of another coffin were got at the small quarry on the glebe. Near the road into Langhaugh is a cairn which when opened long years ago exposed built cists with bones, and at St. Gorgon's the stone beside the font was brought from an old cairn higher up the hill. This latter, no doubt, was a memorial stone over the grave of a fallen chief, and such also most probably is the Bellanridge stone, a large cup-marked monolith, which, removed from its unknown original site, is now built into the dyke on the roadside near the farm of that name. About a mile above Horsehope Hill was found a three-legged bronze jug, now in the Edinburgh Museum, and at Manorhead a bronze spear, which is in a museum at Newcastle.

What effect the Roman occupation had on the parish we do not know, but doubtless, owing to the proximity of the Roman camp at Lyne, it would not be without some effect. With the cessation of that occupation in 410 A.D. the south of Scotland was, besides the incursions of the northern Gaels or Picts, invaded by bands of Anglians and Frisians who crossed over from the Continent. Some of these must have occupied parts of Tweeddale, as may be seen from many of the Teutonic place-names in the district. In Manor there are *ton* as in Kirkton and Milton, *hope* as in Kirkhope (Kirk being also Teutonic) and Hundleshope, *syke* as in Haswellsykes, *sware* as in Manor Sware, and *law* as in Dollar Law. In the ninth century, during the Danish invasion, Scandinavians must have also penetrated here. There is at Manorhead a stream known by the inauspicious name of The Ugly Grain. *Ugly* is simply the Scandinavian epithet for "fearsome," and *grain* is the Norse for a branch of a stream. Perhaps also Woodhill,<sup>1</sup> between Posso and Glenrath, may be for Woden's Hill.

<sup>1</sup> This hill is a peculiar feature of the parish, as it arises in the middle of the valley. It is about 200 feet in height (or 1000 above sea level), half a mile in length, and about 300 yards in breadth. It has been formed, perhaps, by moraine deposited by converging glaciers.



It is unnecessary to give here an outline of the history of the parish in view of the account given later of the families and the estates. But something may be said of a general nature.

The early historians of Peeblesshire—Pennecuik (1715) and Armstrong (1775)—give practically no information, and very little can be gathered from the first *Statistical Account* (1791), which was contributed by the minister of the parish, Rev. William Marshall. The second *Statistical Account* (1834), by the Rev. James Cruickshank, is more useful. He points out—and the problem, notwithstanding the Tweed Acts, is still with us—that few of the salmon which come up Manor Water to spawn are allowed to return to the sea.

“When the stream has subsided after a flood and become sufficiently clear to admit of the fish being seen, bands of poachers, armed with their long-shafted tridents (called “leisters”), may be seen, sometimes during the day, but oftener by the red glare of their torches during the night, beating every foot of the water for their prey, which after a fatiguing run of sixty miles are transfixed without much effort at escape. The number of fishes which from October to February are thus slaughtered in an unwholesome condition, and generally before they have time to spawn, is almost incredible.”

The trout fishing had deteriorated in his day, and for that he also blames the poachers.

“About fifteen or twenty years ago this parish was reckoned one of the finest localities in Scotland for angling, but within that period the notoriety of “Manner Water” has attached so many anglers to its banks, and it has been so often and unsparingly swept by the small hoop and drag-net of the poacher, that . . . little is to be found except parrs, which still swarm in shoals. The fine yellow and dark-coloured *burn* trout, once so abundant, are now scarcely to be seen here.”

But since then the laws passed for the preservation of trout have had a good effect, and to-day Manor Water and its tributaries are good angling streams.

Mr. Cruickshanks points out that although there was an abundance of peat very little of it was used, and that coal was brought from Whitehill in Midlothian and Wilsontown in Lanarkshire at a cost of 1s. per cwt., three-fourths

of which represented carriage. He also notes that there was not a single inn or alehouse in the parish : there is none yet.

The parish had its fortified " towers " in the old days. There were eight of these according to Professor Veitch, but the *Statistical Account* gives twelve, six of which are classed as towers—Manorhead, Dollarburn, Langhaugh, Horse-hope-shank, Castlehill, and Caverhill—and six as houses of defence or peel-houses—St. Gorgon (or Kirk-hope), Posso, Glenrath, Town of Manor, Woodhouse and Barns. To these may be added, on the authority of Blaeu's atlas, Hundleshope, Wrae,<sup>1</sup> Hallyards and Haswellsykes. Of these the ruins of Posso and Castlehill are still in existence, and the old house of Barns still stands. Towers and peel-houses were not built as a rule in secluded corners of glens and valleys, but in the open, beside the water or on the hillside, and were so arranged that one could give warning to the other by the blaze of a beacon. Caverhill, at the foot of the valley, built as it was high on the hillside, was in a key position, and within sight of Neidpath Castle and the Tweed Valley. These towers and their flaming beacons were necessary then, and particularly so in a lonely valley like Manor. For the " Thief's Road "—the old path of the freebooter—led from St. Mary's Loch and Megget over the ridge to Dollarburn and Posso.<sup>2</sup>

The earliest reference to a school in the parish is in 1653, when some of the parishioners protested that they got no benefit from it and declined to contribute towards the schoolmaster's salary. After that, as a natural result, there was no school for a considerable time. There was still no school in 1703, but by 1732 an attempt was made to teach the children for six months in the year, and it is recorded in the Session minutes that the children during the remaining six months forgot all they had learned. Where this early

<sup>1</sup> The lands of Wrae adjoined and were originally part of Hundleshope, and are now apparently part of Crookston in the parish of Peebles (vol. ii. p. 369). They were a possession at one time of the Naesmyths of Posso.

<sup>2</sup> James V. used that road when he went to hunt or punish in Meggetdale, and Queen Mary and Darnley rode over it.

school was built is not known. A new school was built in 1734 on the south-east side of the Castlehill knoll at a cost of £191 7s. 8d. Scots : it was finished in 1736, and a schoolmaster appointed with an annual salary of 100 merks. This school was in ruins by 1763. In 1834 the schoolmaster's salary was £30—and £14 from school fees. The present school is on the roadside between Castlehill and Woodhouse. In 1869 there died near Portree, in the Isle of Skye, William Simson, a native of the parish, who was born at Langhaugh. He bequeathed to the Kirk-Session £1885 for the education of the children of poor but respectable parents in Manor. This endowment is now administered by the County Education Authority with a Kirk-Session representative, and is applied towards the granting of bursaries.

The population of the parish at the last census was 342, but that includes the patients at Caverhill Sanatorium, who are only temporarily resident. The previous figures are : in 1755, 320 ; in 1791, 229 ; in 1811, 302 ; in 1821, 324 ; in 1831, 254 ; in 1864, 247 ; and in 1911, 261.

The acreage was given by Armstrong in 1775 at 18,110, by Dr. Chalmers in 1864 at 16,671. The figure now is 16,628.

The valuation in 1791 was £1685 ; in 1834, £4145 ; in 1864, £4526 19s. 6d ; and is now £5633 4s. 6d.

The Parish Hall, near the Church, is a recent and valuable acquisition. The gift of Miss Anderson of Hallyards, it was built in 1919-20, and was opened on 17th March, 1920. The cost of erection was £1400, and besides equipping it with everything necessary, the donor endowed it with £600 War Loan.

## II

### ST. GORGON'S KIRK OF MANOR <sup>1</sup>

As there exists a popular misunderstanding about the Kirk of Manor, it is proposed here to give a general outline dealing more particularly with the name and the site.

<sup>1</sup> For an account of the ecclesiastical history of the parish see Dr. C. B. Gunn's *The Ministry of the Presbytery of Peebles* (1910).

The church of the parish is first referred to in 1186, when Pope Urban III. confirmed to Bishop Joceline and the See of Glasgow the church of Peebles and the chapel of "Maineure." Thereafter Peebles and Manor were generally held by the same vicar, though not without exception, for in 1256, when the Bishop of Glasgow gave the vicarage of Peebles to Richard, sometime vicar of Linton Rotheric (West Linton), the chapel of Manor was reserved and conferred upon Master Reginald, Archdeacon of Glasgow.<sup>1</sup> Where this early chapel was situated the records do not state, but it is probable that it stood at the foot of the valley, and more or less on the site of the present church. And in support of that there is this fact, that the church lands of the parish were there and were known as Kirktown (p. 616), a name which never would have been given if there had not been an ecclesiastical building in the vicinity. Also, there is on the avenue to Barns the name Crosshouses, and about half a mile eastwards a roundel known as Kirkhill, both of these being part of the original lands of the Kirktown.

But while the church of the parish stood at the Kirktown, it is said that there was also, in early times, a chapel further up the valley on the lands of Posso by the side of the Newholmhope Burn. There is very little evidence about this chapel. The reason for its foundation we do not know, and apparently it was given up long before the Reformation. It has been assumed that it was originally the principal church in the parish, but for this there is no evidence. The chapel was perhaps in existence by the year 1315, when the charter to Adam Marshall of the half barony on Manor (p. 549) refers to the "Kirksted" as one of the boundaries of that grant. The lands in the vicinity were then and still are called Kirkhope, but the strange thing is that these lands never appear on record as a church possession, and that they had become part of the Posso estate by the year 1400 (p. 559). From this it might be argued that the chapel itself, if such there was, had ceased to be used by that time. It is also curious that Kirkhope was originally a pendicle of Stobo, and is so called in a Crown charter in 1619<sup>2</sup> to James Naesmyth of Posso and his wife Agnes Burnet, and from that it would not be unreasonable to infer that the chapel was originally annexed to that parish. But, however that may be, the chapel, while it was in use, would serve the spiritual needs of the upper part of the valley, where there was then a comparatively large population, as the baronial towers of Castlehill, Manorhead and Posso were built in the vicinity.<sup>3</sup> There are no contemporary records of this chapel. Pennecuik (1715) refers to "St. Gordian's Kirk, where there is nothing now to be seen but the rubbish and ruins," and Armstrong (1775) to "the scarce dis-

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<sup>1</sup> *Regist. Glasg.*, No. 204.

<sup>2</sup> *R.M.S.* vii. No. 1769.

<sup>3</sup> Still, it is unlikely that the population higher up the valley was ever as large as the population near the Kirktown.



cernible remains of St. Gorgham's Chapel." In the first *Statistical Account* (1792) there is this definite statement: "During the time of Episcopacy the church was situated four miles distant from the present one, where it was perhaps more central. It bore the name of St. Gordian's Kirk. It was removed about the middle of last century to the bottom of the parish, where it now stands." That statement is misleading, and partly incorrect as will appear, and is based on a misapprehension concerning a dispute before the Presbytery about the site of the parish church. Chalmers in his *Caledonia* (1824) repeats the tradition as to the site of the chapel, but adds, "Yet St. Gordian's Chapel seems not to have been the parish church." The writer of the second *Statistical Account* (1834) says nothing about the tradition, but he tells us there was a peel tower at St. Gordian's or Gorgham's Kirk." Now there was undoubtedly a fortalice at Kirkhope, for it is referred to in the charters, and it is marked on Blaeu's map, which was constructed on Timothy Pont's survey of 1608. No chapel is shown in that map, but the church is marked at the foot of the valley. What is now pointed out as the site of the chapel may in truth be the foundations of the fortalice.

In the *Origines Parochiales* (1851) the tradition is again repeated, and it is stated that the church or chapel at Manor did not become a parochial church until the eve of the Reformation. That statement is not correct, as it is referred to as a parish church in fifteenth century documents.

During the nineteenth century the tradition was firmly accepted that the chapel at Kirkhope had been the original parish church and had been in use until the middle of the seventeenth century, and that many of the early barons and proprietors were buried there. Under the influence of that tradition Sir John Naesmyth of Posso set up a cross on the site in 1874, and since that year an open-air service has been held there annually by the minister of the parish. Near to this cross is a font stone, as it is called, but that is a misnomer. It is the socket or base of a cross, and it stood originally on the roadside near Hallyards, to mark the spot where three lairds' lands met.<sup>1</sup> This stone was removed to the supposed site of the chapel of Kirkhope, because it was assumed that it had been taken from there after the Reformation. There is no evidence for that other than tradition, and it is significant that apparently neither Pennecuik nor Armstrong knew of that tradition. It is much more likely that the stone was taken out of the old church at Kirktown. On the site there is also a stone bearing the letters CONNIE, which was brought from an old cairn higher up the hill; and a modern escutcheoned slab bearing that Margaret Stuart (p. 576) in 1625 ordained her body to be buried under the great south window of the choir of the kirk. That slab should not be there. It was under the window of the parish church

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<sup>1</sup> Second *Statistical Account*. These lands were Glack, Hallyards and Caverhill.

at Kirktown that Margaret Stuart, wife of William Burnet of Barns, was buried. Tradition has certainly erred there, for no chapel was at Kirkhope in 1625, and one is left wondering whether Sir John Naesmyth's cross should be there at all, for there is really no evidence to show that the chapel at Kirkhope was ever the parish church, nor is there any contemporary record of its existence except perhaps the expression "Kirksted" in the charter of 1315 before referred to.

The parish church at the Kirktown is referred to in a charter by King Robert III. to Sir William Inglis, dated October, 1396, of the barony of Manor, which was to be held for payment of a silver penny yearly at the Kirk of "Menar" on the feast of St. Gorgon (p. 551). That is the first mention of the patron saint of the parish, and the name appears in several later deeds. In every case it is the same—Gorgon, Gorgone, or Goirgone. But the bell, which is still in use and is said to be the oldest in use in Scotland, bears the inscription, *IN HONORE SANCTI GORDIANI*, 1483, and because of that it has been assumed that the patron saint was Gordian. This is not sufficient, however, to set aside the evidence of the charters and contemporary writings, where the name Gorgon is found both before and after the date of the bell. The inscription there may be the result of a mistake by the bellmaker, and as the bell would be cast abroad, this could quite easily be made.<sup>1</sup>

From the Session records, which begin in 1596, we have clear evidence that the parish church was then on the present site, and that the manse and glebe adjoined it. It was in a very bad state of repair, which goes to show that it was an old building. By the middle of the seventeenth century a new church was urgently necessary, and a difference of opinion arose among the heritors as to where it should be built. From this dispute originates the misconception that the church was then at Kirkhope and was removed to the Kirktown. What happened was that Sir Michael Naesmyth of Posso wanted the new church to be built in a more convenient position. Apparently he did not succeed in carrying his proposal either before the Session or the Presbytery, and his appeal went to the Synod, which met at Musselburgh in 1658. The Synod recommended that the site should be changed "from the place where it now stands, being near the utmost corner" of the parish, "to the midst thereof, within the bounds of the town of Manor."<sup>2</sup> Undoubtedly the expression "the place where it now stands" is ambiguous, and would apply equally to the Kirkhope and the Kirktown, which were at either end of the parish.

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<sup>1</sup> There are two Gordians and two Gorgons in the Roman Calendar. They all suffered martyrdom in the fourth century. Why Manor Kirk should have been dedicated to any one of them there is no evidence to show. The bell, it is said, originally hung in the chapel at Kirkhope, and was removed to the parish church at Kirktown. There is no evidence for that statement.

<sup>2</sup> The town of Manor (p. 595) was between Castlehill and Woodhouse.

[illegible]

CHARLES BY KING, ROBERT BRICE TO ADAM WARSWALL OF THE BARON OF MANOR.

16TH MARCH, 1308-9





But the later records make the matter quite clear. No action was taken on the decision of the Synod, and the church became more and more ruinous. In 1694 the Presbytery met at the town of Manor, and as by that time the decision of the Synod had prescribed, several of the heritors petitioned that the site should not be changed. No decision was reached, and two years afterwards the church was in such a condition that it was no longer used, and the minister gave a weekly lecture alternately at Manorhall (Hallmanor) and Castlehill. The lairds of Posso and Manorhead were in favour of a change of site, but the Town Council of Peebles, Lord William Douglas, the patron, and the Laird of Barns stood out against it, and ultimately succeeded. In 1697 it was decided to rebuild the church at the Kirktoon "where it was before."

Five years passed before the building of the church was completed, owing to "labyrinths of inextricable difficulties" caused by the heritors fighting over their share of the cost. And the patron, Lord William Douglas (afterwards first Earl of March, vol. ii. p. 306), took the opportunity to build a bridge across Manor Water at the foot of the Sware, using for the purpose, with the consent of the Privy Council, the vacant stipend—such being deemed a "pious use."<sup>1</sup> At last the church was completed in 1702, and the Earl of March undertook to have the bell hung. The total cost was £1471 7s. 6d., of which the minister's share was £460 9s. 2d. and the heritors' £1010 18s. 4d. The valued rent of the parish was then £3301 18s. 2d. That church continued until the present church was built on the same site in 1874.

The ecclesiastical conflict in the first half of last century did not disturb the parish, and neither minister nor congregation "went out" at the Disruption of 1843. The Act of 1874 abolishing patronage did not come into operation in Manor till 1901, when the present minister was elected by the votes of the congregation.

### III

#### THE BLACK DWARF OF MANOR

"We are not aware," writes Mr. Cruickshank,<sup>2</sup> "of any very eminent character connected with this parish, unless David Ritchie is to be considered as such." He was familiarly known in the valley as "Bowed Davie of the Wuddus (Woodhouse)," and owes his universal celebrity to the fact that Sir Walter Scott made him the proto-

<sup>1</sup> The bridge bears this inscription:—"William, Duke of Queensberry, designed the work, and William, Earl of March, his second son, built the same. Anno 1702."

<sup>2</sup> Second *Statistical Account*.

type of his novel *The Black Dwarf*. Sir Walter met David Ritchie in 1797 when on a visit to Dr. Adam Ferguson, who then lived at Hall-yards. The meeting is thus described by Dr. Chambers :

"At the first sight of Scott, the misanthrope seemed oppressed with a sentiment of extraordinary interest, which was either owing to the lameness of the stranger—a circumstance throwing a narrower gulf between this person and himself, than what existed between him and most other men—or to some perception of an extraordinary mental character in this limping youth, which was then hid from other eyes. After grinning upon him for a moment with a smile less bitter than his wont, the dwarf passed to the door, double-locked it, and then coming up to the stranger seized him by the wrist with one of his iron hands, and said : ' Man, he'e ye ony poo'er ? ' By this he meant magical power, to which he had himself some vague pretensions, or which, at least, he had studied and reflected upon till it had become with him a kind of monomania. Scott disavowed the possession of any gifts of that kind, evidently to the great disappointment of the enquirer, who then turned round and gave a signal to a huge black cat, hitherto unobserved, which immediately jumped up to a shelf, where it perched itself, and seemed to the excited senses of the visitors as if it had really been the familiar spirit of the mansion. ' He has poo'er,' said the dwarf, in a voice which made the flesh of the hearers thrill, and Scott, in particular, looked as if he conceived himself to have actually got into the den of one of those magicians with whom his studies had rendered him familiar. ' Ay, *he* has poo'er,' repeated the recluse ; and then going to his usual seat, he sat for some minutes grinning horribly, as if enjoying the impression he had made ; while not a word escaped from any of the party. Mr. Ferguson at length plucked up his spirits, and called to David to open the door, as they must now be going. The dwarf slowly obeyed ; and when they had got out Mr. Ferguson observed that his friend was as pale as ashes, while his person was agitated in every limb. Under such striking circumstances was this extraordinary being first presented to the *real* magician, who was afterwards to give him such a deathless celebrity."

Born about 1740 of poor parents at Easter Happrew in the parish of Stobo, and when still young sent to Edinburgh to learn the trade of a brushmaker, David by his extraordinary figure attracted so much notice, and among the young people so much ridicule, that ere long he left the city in disgust and retired to the vale of Manor. There without permission of the proprietor he selected a site near Woodhouse, and with his own hands and extraordinary strength built a cottage, with a garden adjoining it. This would be about 1762, and there he lived until 1802, when Sir James Naesmyth built him a new cottage of stone and lime with a thatched roof. This cottage still stands, but unfortunately it has been enlarged and slated as to the roof.

Both Chambers and Veitch wonder why on his leaving Edinburgh he abandoned Stobo (see p. 487). In the Kirk-Session Records from 1734 to 1737 there are several entries of money given from the poor's box to Annapple Niven and family. Now Annapple Niven was the name of David's mother, and unless there were two women of the same name there may be here some clue to his forsaking Stobo for Manor. David himself received money from the poor's box, of which there are frequent entries in the Kirk-Session Records—of small sums, at first such as 2s. 6d. and 5s., increasing later on to 10s. and 15s., and finally, when in 1790 his sister Agnes lived not with him but beside him, to £4 a year between them.<sup>1</sup> From his "bee skeps" and the medicinal herbs in his garden he got other small sums, and his "pock" always hung at Kirkton Mill for a "goupen" from each one who had a "melder" ground there. And, besides, from his visits round the district he usually returned laden with provisions, obtained either as a reward for his "cracks" by the fireside or through fear of his supposed supernatural powers.

In the same Session Records there is occasionally an allowance of money from £3 to £5 to him and one James Cairns for "cloathes," and to the latter for shoes. David, of course, required no shoes, as his feet could scarcely be called feet, were rather stumps and were wrapped in "clouts." His legs were like corkscrews, but the rest of his body was normally developed, except that he had long and tremendously strong arms and a very thick skull. Once when looking over Manor Brig he fell over and alighted on his head, but was none the worse. With his red cowl, like a nightcap, and his long pole or "kent" he must have been indeed an extraordinary figure. The picture of him in his cottage and at Hallyards House is said to be like him, but the statue on the lawn at Hallyards is a caricature. The sculptor of the latter was one Forrest of Leith, who designed and made several statues and statuettes illustrative of characters in the Scott novels. It took seven horses to cart it from Leith, and it came by way of the Meldons. This was some time in the 'forties of last century, when Dr. Clason was owner of Hallyards.

Morose, ill-tempered, violent, David was nevertheless not without his good points. Though he got little education he could read, and did read old books of mythology, Shenstone's *Pastorals* and Milton's *Paradise Lost*. He loved flowers and animals, and had even a soft side to the other sex. Often did the rustic beauties of Manor come before him as before another Paris, and he, peering at them through his bole hole, would judge their charms; and if the fair ones did in his judgment turn out Aphrodites, then he would reward them with a flower, the palm of beauty. Once indeed he thought of getting married, and having persuaded some "haverill wench" to promise to marry him, he came to the manse for the minister to perform the

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<sup>1</sup> There is also a record of a fee being paid to Mungo Park on account of David's illness.

ceremony. This the minister would not do, and at last David shook his "niece" in the minister's face and threatened him with the most frightful consequences to the morality of the parish. His threats were always of a violent nature. He always said he wished to be buried on the top of the Woodhill, away from the "common trash of Manor," and with a rowan tree at the head of the grave to keep off the witches and warlocks. David, however, was laid to rest in Manor Kirkyard, but not for long. What happened to his bones, at least his leg bones, is recorded in Dr. John Brown's *Horae Subsecivae*. In 1845 the Messrs. Chambers erected a tombstone to his memory, and beside it is his wished-for rowan tree. At his death in 1811 he left above £20—so much gold in one bag, so many half-crowns in another, and shillings in a third. He detested sixpences, and quickly changed them into the larger coins. As David had received alimient money from the funds of the parish for so many years, his sister returned half of the £20 to the minister to add to the poor's funds.

## IV

There is no information available about the proprietors in Manor before the twelfth century. About 1116 an investigation was made by Prince David into the lands and churches belonging to the Episcopal See of Glasgow, and among the witnesses mentioned in that connection is the name of Robertus Corbett, who held lands in Manor and who was likely of Norman descent. David came to the throne in 1124, and among his Sheriffs was one named Malbeth, who exercised jurisdiction in Peeblesshire. On the top of the Woodhill previously referred to (p. 538) it is said that a castle stood. To this tradition has given the name Macbeth's Castle, and it is so marked on the ordnance maps. There is no probability that Macbeth of Scottish history and Shakespeare's play had any connection with Manor, and it may be assumed that the name is a corruption of Malbeth, and that the castle, if there was one, was his residence.<sup>1</sup>

John of Baddeby was the proprietor of Manor in 1296, when he swore fealty to King Edward I. at Berwick; and

<sup>1</sup> It is extremely unlikely that a castle ever stood there. Armstrong in 1775 said there was "some appearance of a building." But there is no evidence of foundations or trace of masonry. Possibly the great number of stones scattered there formed long ago a great cairn to mark the burial place of some early British chieftain.







the connection of that family with the parish is further confirmed by three of five charters mentioned by Robertson<sup>1</sup> which were granted by King Robert the Bruce. The first confirms a charter by King Alexander to William Baddeby of the lands of "Menner." The second confirms a charter by King Alexander to John Baddeby of these lands. The third is a charter by King Robert the Bruce to Adam Marshall, his valet, of the whole barony of "Menere." The fourth is by the same King to the same person of the half of the barony, giving its boundaries. The fifth is another charter by him to Alexander Baddeby, evidently of the other half of the barony. Recently the discovery<sup>2</sup> was made that two of these charters—the third and fourth mentioned above—were still in existence among the Posso muniments, and facsimiles of them are here given. The one which is dated at St. Andrews on 16th March in the third year of the King's reign (1308-9) gives to Adam Marshall for his homage and service the whole barony of "Menere" in the Vale of Tweed, with its pertinents to be held of the Crown, for the services of ten archers and suit at the King's Court of Peebles. The other charter, which is dated at Ayr on 28th April in the tenth year of the King's reign (1315), gives to Adam Marshall only the half of the barony of "Meneris," bounded as follows:

The Lordship of Meneris with the town<sup>3</sup> of barony thereof with the Wood of Catcluylayn and the lands of the Glak with pertinents, beginning at Glakhead, and thence to Herchestir and so to the Blind Well<sup>4</sup> and then as far as Medugal, then descending by the water of Meners on the east side, and so ascending by the said water by the old marches on the south side as far as the six acres lying next to Dunduffe,<sup>5</sup> and thence from these six acres to the east gate of Dunduffe, and from the said gate as far as a stone set in the ground beside Mamusgrasse, then by the other road as

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<sup>1</sup> *Index of Missing Charters*, p. 24.

<sup>2</sup> The discovery was made by Col. F. R. S. Balfour of Dawyck.

<sup>3</sup> The old Town of Manor (see p. 544).

<sup>4</sup> Up to this point the boundary is the line of the ridge between the Tweed and Manor Valleys to the plateau west of Posso farm. It then follows the boundary between Posso and Hallmanor.

<sup>5</sup> Dunduff was then a holding in the valley.

far as Cuaford,<sup>1</sup> and from Cuaford by a syke on the west side of the Croley, and from the head of that syke as far as Haropfald, then ascending by the path as far as Crapislaw,<sup>2</sup> and then descending by the path as far as Glakhead on the north side ; together with the Hope of Meners, by its marches beginning at the Water of Meners where the Langhope burn falls into the said water and ascending by the said burn as far as the head of Meneres,<sup>3</sup> and then by the path as far as the head of the Crokitgat,<sup>4</sup> then descending by the Crokitgat as far as to Cokplay between Newey and Kirkhop, then down to Kirksted and down by the burn of Neuwey as far as the water of Meners, thence up the said water to the mouth of the Langhope burn ; together with the service of the town of Meners and of Kavirhill ; to be held of the Crown for the rendering of the services used and wont in the time of King Alexander the Third.

From this it would appear that after the grant of the first charter to Marshall of the whole barony it was discovered that Baddeby had also right to the land, and accordingly in the second charter the grant was reduced by one-half. On 4th August, 1323, Sir Alexander of Baddeby petitioned the King and Parliament, craving that he was entitled to the whole barony. But the King made answer that if he was not satisfied with the half he could surrender it, and his petition would be considered. Baddeby, not liking the prospect, abandoned his suit and declared himself content. This arrangement was brought up in the Scottish Parliament in 1348, and recorded in its proceedings, but by whom or for what purpose does not appear.<sup>5</sup> From that time onward there is no further reference found to either Marshall or Baddeby in Manor.

Later other families appear in the parish, and of the principal of these some account will be given. Thereafter the lands themselves will be dealt with, and the sequence of proprietors given to the present time.

<sup>1</sup> Probably a ford near the Qua Wood.

<sup>2</sup> Scrape.

<sup>3</sup> This would include all the land on both sides of the river to the head of Manor.

<sup>4</sup> A zig-zag road winding up Newholmhope.

<sup>5</sup> Renwick's *Historical Notes*, p. 357.



## V

## INGLIS OF MANOR AND MANORHEAD



ARMS.—Azure, a lion rampant Argent and in chief three stars of the first.

CREST.—A demi lion Argent.

MOTTO.—*Nobilis est ira leonis.*

King Robert III. introduced the family of Inglis into the valley of Manor by giving the barony in 1396 to Sir William Inglis<sup>1</sup> as a reward for his killing an English knight, Thomas de Struthers, who was marauding on the Marches.<sup>2</sup> The holding was blench, with full baronial powers, for payment of a silver penny at the Kirk of "Menar" on the feast of St. Gorgon. The charter was dated on 2nd October at Stirling, and witnessed, among others, by Mr. Duncan Petyt, Archdeacon of Glasgow, Chancellor of Scotland, who would also be the chaplain of Manor Kirk. Undoubtedly this deed con-

<sup>1</sup> "He particularly distinguished himself at Rule-haugh on the Borders when Sir Thomas Struthers, an English champion, a bold and daring knight, had given the brag and bid defiance to any Scotsman who durst encounter him. Sir William Inglis accepted his challenge, fought him and killed him dead on the spot. Archibald, Earl of Douglas, and Henry Percy, Earl of Northumberland, the two wardens of the marches, were witnesses and judges of the combat, which happened in 1395" (Douglas: *Baronage of Scotland*).

<sup>2</sup> The original charter is still preserved among the Barns Papers now in the keeping of the Town Council of Peebles. In the entry in Robertson's *Index* (p. 137, No. 58) there is excepted from the grant the lands belonging to Sir William Gledstanes. This reservation does not appear in the charter itself.

veyed the whole barony, with the exception perhaps of Hundleshope, and Sir William and his son may have been in full possession. But their descendents never held more than half, and the probability is that the other half was soon afterwards granted to the family of Lowis (p. 555).<sup>1</sup>

Nothing further is known of this Sir William, who died about 1420, succeeded by his son John.

John Inglis, according to Nisbet, had a charter of confirmation of the barony to himself and his son Thomas from Archibald, Earl of Douglas, who had evidently become the superior, perhaps by arrangement with the family, who were retainers of the house of Douglas, from whom they already held extensive lands in Roxburghshire. To denote this connection with the Douglasses three stars were added to the Inglis coat of arms.

Thomas Inglis, son of John, on 23rd July, 1446, exchanged his lands of Branhholm in Teviotdale and other lands with Sir Walter Scott of Buccleuch for the lands of Murdieston and Hartwood in the barony of Bothwell, Lanarkshire (p. 184). He appears to have been twice married. By the first marriage there was a son, probably the William Inglis aftermentioned,<sup>2</sup> who continued the main line of the family and took the designation "of Murdieston." By the second marriage with his wife Christian there were three sons, John, Oswald, and Gavin. To John, the eldest son, and his heirs his father in 1457 granted the lands of Manorhope (evidently the earlier name for Manorhead), whom failing to Oswald and Gavin in succession, the lands to be held blench for payment of a penny at the feast of St. Gorgon, the martyr. The charter<sup>3</sup> containing this grant was dated at Manor on 6th August, and John took sasine<sup>4</sup> on 19th September at Manorhope, at an old wall on the north side of Smallburne near the water of Manor.

On the death of Thomas Inglis, William Inglis succeeded to Murdieston, the superiority of Manorhead and the other lands in Manor, while his half-brother, John, became proprietor of Manorhead. William Inglis was sued in 1494 by Alexander Fokkert and Christian Lowis, his spouse, for alleged spoliation from them of some goods, and an annual rent connected with the third of Glack and Caver-

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<sup>1</sup> Judging from later writs, the half belonging to Inglis included Manorhead, Woodhouse, Town of Manor and a joint superiority of Caverhill and Glack; while the Lowis half comprised Dollarburn, Castlehill, Hallmanor, Hallmeadow, Horswaird and the said joint superiority.

<sup>2</sup> Douglas calls the son John, evidently confusing him with William's own son.

<sup>3</sup> Among the witnesses were Paul Veitch of Dawyck, William Baird of Posso, John Dickson of Smithfield and Thomas Dickson of Ormiston.

<sup>4</sup> Among the witnesses were Andrew and Patrick de Lowis and Stephen de Kirkhope. (Horsburgh Papers.)

CHARTER BY KING ROBERT III, OF THE BARONY OF MANOR, TO SIR WILLIAM INGLIS,  
2ND OCTOBER, 1396





hill.<sup>1</sup> On 5th August, 1500, at Woodhouse he granted a tack to his son-in-law, John Burnet of that ilk, of the third part of the ward lands of Caverhill and Glack, which belonged to him through the death of Elspeth Caverhill, for all the time they should be in his ward, for the yearly payment of five nobles. The witnesses to this deed were James, David and William Inglis, sons of the granter, and John Inglis of Manorhead. By 23rd September, 1505, John Burnet was dead, and William Inglis had become tutor at law to his grandson William Burnet (p. 572).

William Inglis died about 1509, in which year John Inglis of Murdieston, his son, took infeftment in the half barony of Manor as his father's heir.<sup>2</sup> Two years later, at the instance of Mr. Patrick Tweedie, commissary of the jurisdiction of Manor, a royal order was issued for the apprehension and imprisonment of John Inglis, as he was under sentence of excommunication for contempt of the church.<sup>3</sup> On 17th May, 1515, as superior of Manorhead, John Inglis "of Morderstoune and Vodhouse," as he styled himself, gave sasine thereof to his cousin, John Inglis, two of his sons, John and Thomas, witnessing the transaction. Ten days later he wadset the west half of the Town of Manor for 260 merks to William Allan, burgess of Peebles; and in 1522 he took his leave of Manor by selling the whole half barony to David Hoppringle of Smailholm and Margaret Lundie, his spouse, by charter (dated at Dawyck 16th June), which received the royal confirmation the same day.<sup>4</sup>

James Hoppringle, son of this David, was served heir to his father, and took sasine of the half barony on 9th January, 1534-5. Later he calls himself James Pringle of Woodhouse. He was succeeded by James Hoppringle of Quhytbank, his son, who was infeft on 27th March, 1564, in the half of the lands of Manor,<sup>5</sup> and this he sold about 1600 to William Burnet of Barns.

Returning to John Inglis of Manorhead,<sup>6</sup> who received the grant in 1457 from his father Thomas, he died at an advanced age between 1495 and 1500, and was succeeded by his son John, who had sasine as before mentioned in 1515 from his cousin John of Murdieston. He died in 1535, and was succeeded by his son John, who died before 1580, and was succeeded in turn by his son John. This John Inglis married Barbara Govan, and died in 1612, leaving a son John, in minority, to whom Thomas Inglis, his father's brother,<sup>7</sup> became tutor,

<sup>1</sup> *Acta Audit.* (p. 187).

<sup>2</sup> Barns Papers.

<sup>3</sup> *Yester Papers.*

<sup>4</sup> Barns Papers.

<sup>5</sup> *Ibid.*

<sup>6</sup> Professor Veitch considered there was strong presumptive evidence that a son of this John Inglis was Sir James Inglis of Cambuskenneth, the author of the famous *Complaynt of Scotland* (*History and Poetry*, vol. ii. p. 86).

<sup>7</sup> There was another brother, George Inglis, who about 1625 was in Glensax, and afterwards in Glenrath and Newby, and in 1632 had a disposition of two-thirds of Manorhead to himself and his second son John from Malcolm Inglis of Manorhead and his wife. His eldest son was named Thomas.

and who in 1614 was served heir to his father in Manorhead, of which William Burnet of Barns was then the superior.<sup>1</sup> This John seems to have died young and unmarried, and was succeeded by his brother Malcolm.

Malcolm Inglis had a long lairdship, from at least 1627 to 1696. He married Isabel Pringle, and in 1629 acquired from John Lowis, Hallmanor, with Harehope and the mill of Manor, which he sold in 1637 (p. 559).<sup>2</sup> His first wife died before 1666, and he was then married to Jean Brown, the widow of Robert Scott in Glack. During his time a conventicle was held at Manorhead which brought quite a number of those around into the Sheriff Court.<sup>3</sup> He had two sons. John, the elder, married Elizabeth, daughter of Samuel Mitchelson of Middleton, and died in October, 1695, shortly before his father, leaving a son Thomas, who succeeded to Manorhead. Malcolm's second son, Thomas, was designated of Craigend, and married Isobel Abernethie.

Thomas Inglis was infeft in Manorhead on 9th July, 1696, as heir to his grandfather, Malcolm, on a precept of *clare constat* from Charles, Earl of Traquair. He was also served heir to his father, John, in the half of the lands of Cortilferrie, Midlothian. He married in 1695 Lilius Turnbull, eldest daughter of William Turnbull of Currie, and sold Manorhead on 10th August, 1709, to Alexander Horsburgh of that Ilk, in whose family it has since remained.

#### LOWIS OF MANOR

This old family, like the Inglises of Manor, took the baronial designation, but they never held more than half the barony, which, as has been indicated, they probably acquired early in the fifteenth century.

Patrick of the Lowis of "Menner" was on an inquest at Innerleithen on 27th August, 1427; and he acted as bailie for Sir Walter Scott on 22nd July, 1434, in a transaction which took place in the chapel of St. Mary in the parish church of Peebles, when John of Geddes resigned his half lands of Ladyurd and gave them to his son William.<sup>4</sup> He also witnessed an agreement at Peebles on 15th February thereafter between this William Geddes of Ladyurd and Davy the Hay, Lord of Yester.<sup>5</sup> There are several other references to him acting as a witness, including one at Mossfennan on 14th August, 1439, and he was also a witness on 19th September, 1457, when John Inglis, the son of his neighbour baron of Manor, was infeft in Manorhope.<sup>6</sup>

His successor was Thomas de Lowis of Manor, probably his son. In 1455 he was acting as baron bailie for Sir Walter Scott of Buccleuch

<sup>1</sup> Horsburgh Papers.

<sup>2</sup> Barns Papers.

<sup>3</sup> Sheriff Court Books.

<sup>4</sup> *Acta. Dom. Con.* and Skirling Inventory (see p. 189).

<sup>5</sup> Yester Writs, No. 63.

<sup>6</sup> Wigtown Inventory and Horsburgh Writs.

in Kirkurd.<sup>1</sup> In 1458, then designed as of Manor, he made over to Sir Richard Purdie, vicar of the parish church of Manor, a number of annual rents from properties beside the Nor'loch in Edinburgh,<sup>2</sup> and

LOWIS OF MANOR<sup>3</sup>

Vert, three laurel leaves Argent.

in 1463 he had a Crown confirmation of the half of Corscuningfield and Catorsan,<sup>4</sup> which formerly were Ladylands.<sup>5</sup> He acted as one of the arbiters in the dispute between Robert, Lord Fleming, and Sir David Hay of Yester about Hay's lands in the Lordship of Biggar in 1470.<sup>6</sup> Lowis laid claim along with John Gledstanes of that ilk in 1473 to a part of Cademuir and the lands of Common Struther, which afterwards (1485) were found to belong to the burgh of Peebles,<sup>7</sup> but, unlike Gledstanes, he gave up his claim and gave no more trouble to the burgh. He must have died in 1492, as in 1496 the lands are said to have been four years in non-entry. His widow's Christian name was Katharine.

<sup>1</sup> Skirling Inventory.

<sup>2</sup> Document *penes* Peebles Town Council.

<sup>3</sup> A mullet or star was added later to the coat, showing that a third son or his descendants had come into possession. Only the eldest son had the right to carry the coat simple or undifferenced, and the cadency marks were usually a crescent moon for a second son, a mullet or star for a third, and a martlet for a fourth. A branch of the family carried a coat with colours exchanged (silver leaves on a green shield).

It is suggested that the leaves on the shield are not leaves at all, but "lowes," *Scottice* for flames, being, as is not uncommon, a play on the name Lowis.

<sup>4</sup> These lands became part of the barony of Smithfield, but their locality is doubtful (see vol. ii. pp. 335-7).

<sup>5</sup> Probably meaning lands devoted to the Virgin Mary.

<sup>6</sup> Yester Writs, No. 155.

<sup>7</sup> See vol. ii. p. 221.

Thomas Lowis was succeeded by his grandson Thomas, who in 1493 was served heir to his grandfather in the lands of Harcus in Eddleston parish, in which he was infeft, and he was also infeft as heir in the half of the barony of Manor on 28th April, 1496. There is no indication as to the name of his father. In 1499 he gave a tack to his beloved son, Friar Thomas Lowis, minister of Peebles, of his third part of the lands of Dollarburn for six years, and two of the witnesses were Sir John Lowis and James of Lowis.<sup>1</sup> Thomas Lowis also possessed the lands of Bridgelands at Peebles,<sup>2</sup> which were resigned in his favour by Ninian Paterson on 6th May, 1507, and he had a Crown charter of them from James IV. on 12th March following, the charter bearing that the lands belonged to the said Thomas in property, but had fallen into the King's hands through their alienation, without his consent.<sup>3</sup> He died on 27th July, 1513.<sup>4</sup>

John Lowis of Manor, his successor, had sasine in the half barony of Manor as heir to his father, Thomas, on 10th May, 1514. He was further served heir to him and was infeft on 26th April, 1515, in the lands of Harcus, Friar Thomas Lowis, minister of the church of the Holy Rood at Peebles, and Ninian Lowis, elder and younger, being witnesses.<sup>5</sup> He was again infeft in Harcus in 1527, along with Elene Sinclair, his wife, George Sinclair, rector of Aberfoyle, acting as attorney for them. He fell into debt, and the lands of Bridgelands were appraised from him and granted by James V. to George Henryson, son and heir of Mr. James Henryson of Fordell, in 1527, and the right of reversion to them was acquired in 1529 by Mr. John Hay of Smithfield. John Lowis appears to have been slain in 1529 by Alexander Veitch and Alexander Baird, who obtained a respite for that and other crimes for nineteen years on 18th June.<sup>6</sup> He left a young son, as on 3rd January, 1535-6, a gift of the ward of all his lands, then in the hands of the Crown, along with the marriage of John Lowis, his son and heir, was bestowed upon Malcolm, Lord Fleming.<sup>7</sup>

John Lowis of Manor, notwithstanding his minority, on 20th May, 1534, set a tack of the half of his lands of Dollarburn and Newai, lying on Manor Water, to Thomas Paterson of the Caverl (Caverhill) and William Burnet of the "Bernis" for nine years at the rent of £10 yearly, a witness to which at Peebles was Sanders ye Bard.<sup>8</sup> John had sasine as heir to his father in the half barony of Manor on 7th November, 1542, and also in Harcus on 24th January, 1543-4, and in 1546 he wadset the half of Harcus for 200 merks to Thomas Paterson of Caverhill. In 1547 he disposed of his right of reversion to that half of Harcus to Robert Horsburgh in Harcus, and also sold the lands to him by charter outright, giving him in warrandice his lands of Castlehill in Manor.<sup>9</sup> Two years later (1549) John Lowis disposed a

<sup>1</sup> Barns Papers.

<sup>2</sup> See vol. ii. p. 365.

<sup>3</sup> *R.M.S.*

<sup>4</sup> Duns Castle Report (p. 21).

<sup>5</sup> *Ibid.* and Burgh Court Book.

<sup>6</sup> *Reg. Privy Seal.*

<sup>7</sup> *Ibid.*

<sup>8</sup> Barns Papers.

<sup>9</sup> Duns Castle Report (p. 22).



fourth part of Dollarburn to William Burnet of Barns. In 1553 Michael Naesmyth received from Lowis an annual rent of 10 merks from the lands of Manor, sasine of which was given at the barn on the ground of the lands of "Mennare."<sup>1</sup> Lowis also possessed the lands of Glencrago or Glencraigs in the parish of Tweedsmuir (p. 386), which he wadset in 1553 to Gavin Johnstone in the Kirktown of Kirkpatrick Juxta for £100, giving him in warrandice thereof his lands of Manor.<sup>2</sup> He married Marion Wylie, one of the two daughters and heiresses of Martin Wylie of Bonnington, and died about 1555, leaving a son, John.

John Lowis of Manor, as son and heir of the deceased John Lowis of Manor, and Thomas Hoppringill of that Ilk, his tutor testamentar, were on 17th April, 1555, summoned, along with the occupier, John Lillay, to remove from the lands of Welshhouses at the instance of Katharine Wilson, widow of Ninian Lowis, in which she and her husband had been infeft in 1546 on a charter by Lowis's father, who had personally given them sasine.<sup>3</sup> James, Lord Fleming, was donator of the ward and marriage of John Lowis, and assigned his right to Michael Naesmyth of Posso, and it is narrated that on 4th June, 1555, Elizabeth Baird, lady of Posso, went to Margaret Hoppringill, lady of Castlehill, and demanded from her delivery of the tower of Castlehill, which was at this time the baronial manor, and of the hereditaments belonging to John Lowis. Lady Posso had previously armed herself with letters of four forms,<sup>4</sup> and delivery was duly made of the tower and hereditaments, which consisted of "ane set burd, tua furmes, four hingand dures without lokkis, ane hart horn hingand in the hall," with the promise to hand over any others undelivered.<sup>5</sup> A further effect of this donation to Michael Naesmyth of the ward and marriage is referred to on 3rd February, 1560, when Lady Posso in his name went to young Lowis and offered him as his wife Marien Bellenden, and protested for the double avail of his marriage duty if he refused. The young man, it is stated, made no reply, but went away silently. This took place in the front house of James Tweedie in Peebles.<sup>6</sup> His silence was significant, for he did not marry her, but took as his wife Isabel Paterson of the Caverhill family, and on 6th May, 1561, Michael Naesmyth sold the marriage duty, with the ward of the Castlehill and the mill of Manor, for 500 merks to Thomas Paterson of Caverhill.<sup>7</sup> In the same year Lowis interdicted himself from disposing of any of his lands without the consent of his curators, Thomas Paterson of Caverhill and Ronald Scot, and he does not appear to have sold any of his lands

<sup>1</sup> *Peebles Protocols.*

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

<sup>4</sup> This was the name of the writ upon which anciently all diligence proceeded. Four successive charges were given at intervals of three days.

<sup>5</sup> *Peebles Protocols.*

<sup>6</sup> *Ibid.*

<sup>7</sup> Peebles Burgh Court Book.

after this.<sup>1</sup> On 17th April, 1566, a charter was granted by James, Lord of Torphichen, to John Lewis of Manor and Isabel Paterson, his spouse, and Thomas Lewis, their eldest son, of the half of the steading of Stanhope, which they then occupied.<sup>2</sup>

John Lewis died on 30th September, 1568, and in his testament he desired to be buried in the "Queir" of Manor Kirk. He mentions his wife, Isabel Paterson; his brothers, William and Thomas Lewis; his uncle, George Lewis, to whom he gives the acre of land he then occupied; and Thomas Lewis, his own eldest son and heir, to whom he nominates Michael Hoppringle and Michael Naesmyth tutors, and directs that the rents of the Kirktown of Manor be employed to keep him at the school.<sup>3</sup>

Thomas Lewis of Manor was but a child when his father's death took place. In 1591 he personally resigned the half lands of Stanhope, which were then given by James, Lord of Torphichen, to Philip Scott of Dryhope.<sup>4</sup> On 7th March, 1594, he took sasine as heir of John Lewis of Manor, his great-grandfather, in the half of the lands and barony of Manor with the tower, etc. (with the exception of the lands of "Dullerburn" and Dogflat belonging to Michael Naesmyth of Posso, and of the lands of "Halmedo" and "Horsewaird" belonging to Simon Scott of Bonnington), and in one-third of Corscuningfield and Catorsan,<sup>5</sup> on a Crown precept from Chancery, the lands having been in non-entry for sixty-six and a half years. Among the witnesses to the sasine were John Lewis in the Town of Manor, William, and William Lewis there and another William Lewis.<sup>6</sup> Thomas Lewis married Helen Spittal and died in 1600, leaving a son and four daughters—Elizabeth, who married William Veitch, a notary in Peebles; Isobel, who married John Lewis, burgess there; and Margaret and Jean.<sup>7</sup>

John Lewis of Manor, his son and successor, married Isabella Scott, and was served heir to his great-grandfather John on 20th May, 1606. He contracted a number of debts, with the result that he was compelled to part with his lands. In 1627 he was infest in the lands of the half barony of Manor on a Crown precept, but this was in preparation for the sale of all that was left of his property. Hallmanor, Harehope, and the mill of Manor he sold<sup>8</sup> to Malcolm Inglis of Manorhead and

<sup>1</sup> An instrument by Thomas Paterson in 1564 records that in terms of a precept issued by John Lewis and James Hoppringle of Woodhouse, who were then equal proprietors of the barony of Manor, calling on him to produce his titles of Caverhill, he had appeared with them in the accustomed place, but that no one was present to receive them (*Peebles Protocols*).

<sup>2</sup> Duns Castle Report (see p. 446 *ante*).

<sup>3</sup> Edinburgh Testaments.

<sup>4</sup> Duns Castle Report.

<sup>5</sup> See vol. ii. (pp. 335-7).

<sup>6</sup> Barns Papers.

<sup>7</sup> Sheriff Court Books.

<sup>8</sup> This sale was with consent of his wife, and also of Dr. Theodore Hay, parson of Peebles and Manor, and Archdeacon of Glasgow, who was donator of the moveable escheat and liferent of John Lewis.

Isabella Pringle, his wife, in 1629, and the rest he disposed of in 1637 for 10,000 merks to Alexander Veitch in Nether Horsburgh, Janet Geddes, his spouse, and Alexander Veitch, their eldest son, who also acquired at the same time from Malcolm Inglis for 13,200 merks the lands he had obtained from John Lowis in 1629.<sup>1</sup> John Lowis died about 1642, survived by Isabella Scott, his widow.

The race of Lowis<sup>2</sup> is not extinct. Lt.-Col. Wilhelm von Lowis served under Gustavus Adolphus, from whom he received the male fief of Panten and Nurmis on 14th May, 1631. His coat of arms was differenced, and shows three stars and also a crescent moon, the mark of cadency of a second son. His father's name was Henry, his grandfather's William, and his great-grandfather was John Lowis of Manor, who died about 1555. He married a daughter of Von Nieroth of Wietz, Governor of Weisenstein and afterwards in Reval, and had four sons—Magnus, Wilhelm, Franz, and Otto. He died in 1645, and is buried in the church of Salisburg in Livonia.

The eldest son, Magnus, is said to have lost his right hand in the storming of Prague; he died in 1670. Otto died young. Franz died in 1682. Wilhelm, the second son, added a second crescent moon to his coat; he died in 1694. The descendants of this family are still known as Löwis of Menar. Friedrich von Löwis of Menar, a lieutenant-colonel and Marshal of Livonian provinces, died in 1824. Andreas von Löwis of Menar, an author, died in 1839. Karl von Löwis of Menar compiled in 1897 a pamphlet on the Lowis coats of arms, and Moritz, Baron Wrangell (whose mother was a Löwis), prepared about the same time a genealogy of that branch of the family for the Livonian House of Nobles. The present representative is August von Löwis of Menar, 6 Nikolsburgerstrasse, Wilmersdorf, Berlin.

#### BAIRD OF POSSO

Thomas Baird received a charter from King Robert III. (1390-1406) of the lands of Possaw, Langhall (Langhaugh), Kirkhope, Caverhill,

<sup>1</sup> *R.M.S.* ix., No. 757. Veitch now assumed the designation "of Manor." In 1643 he borrowed £10,000 from Sir John Veitch of Dawyck on the security of the half lands of Manor—called the Mains or Castlehill of Manor, Hallmeadow, Horswaird, Woodhouseacre, Hallmanor and Harehope, with the mill of Manor and lands of Welshhouses—and two years later Sir John obtained a Crown charter of them to himself and his wife, Christina Naesmyth, and their son William (*R.M.S.* ix., No. 1581); the right of reversion being discharged to Sir John on 21st November, 1654. Probably Veitch continued as tenant of part of the lands, for his son of the same name is styled "of Manor" up to 1670. Sir John Veitch sold the lands to George Baillie, son of George Baillie of Jerviswood, in 1672, who styled himself "of Meannerhall," and further notice of him will be found under Hallmanor.

<sup>2</sup> There were Lowises in Flora (now part of Traquair), referred to in 1628, 1690, 1704, 1708-24, and Lowises of Merchiston: the latter carried three bay leaves on a gold field.

half of Glack and Glenrath and Letteis.<sup>1</sup> These lands, it is stated, were in the barony of Manor, but they were not included in the grant of the barony to Sir William Inglis in 1396 (p. 551), and with the information available it is not possible to give a satisfactory reason why there should be two such grants from the King within a few years of each other, the one apparently of the whole barony and the other of lands in the barony. Caverhill and Glack, two of the lands granted to Baird, remained a part of the barony, and were held in superiority by the Inglises and the Lowises, the two families which took the

BAIRD OF POSSO.<sup>2</sup>



Azure on a fess argent, a boar's head couped gules between 3 Mulletts in chief and a sanglier in base passant of the second.

designation of Manor, while the remainder<sup>3</sup> of the property was soon afterwards erected into the separate barony of Posso. It may be that the Bairds were in possession of Posso and the other lands prior to King Robert's grant, holding as sub-vassals under the previous baronial proprietors, and that they now became by virtue of that grant direct vassals of the Crown. But that does not explain why Caverhill and Glack remained part of the barony of Manor. The grant itself to Baird is not in existence, and it is possible that the entry in Robertson's *Index* is misleading, and may be intended to mean that, of the lands enumerated, only Caverhill and Glack were then in the barony of Manor, the remainder being a separate holding.

<sup>1</sup> Robertson's *Index* (p. 144).

<sup>2</sup> The boar's head on the shield "indicates the view taken of the origin of the name, but the surmise that Baird is originally Barde or Minstrel is quite as probable. Gordon, Nisbet, Swinton, Redpath carry boars' heads. It was naturally a common cognizance." (Veitch : *The Tweed and Other Poems*, 1875, p. 226.)

<sup>3</sup> It is assumed that "Letteis" was a part of Posso, but the name is not now known and has not been traced.



Thomas Baird may have been a descendant of Thomas de Burdis, who was Sheriff of Peebles in 1296, and received instructions from King Edward I. to restore their lands to those lairds who had sworn fealty.

Gavin "Barde" of Posso is referred to between 1457 and 1478 as acting on juries for the services of Tweedside lairds, and he was present at Easter Kailzie at an inquiry about these lands in 1476.

Gilbert Baird of Posso was among those present on 20th March, 1503, in the cemetery of Stobo when John, Lord Hay of Yester, challenged the vicar of Stobo for not saying the masses stipulated for in the chapel Wester Happlew (p. 508). He fell at Flodden, and had two sons—John, who succeeded, and Thomas.

John Baird of Posso, along with his brother Thomas, were witnesses to the sasine of John Inglis in Manorhead on 17th May, 1515.<sup>1</sup> He died prior to 1526, and his estates were divided between his two daughters, Elizabeth and Janet. His widow, Janet Scott, married Mr. John Hay of Smithfield, and the latter in 1526 had a gift of the ward and non-entry of John Baird's lands, from which the tenandry of Glenrathness<sup>2</sup> was omitted, but this was rectified by another gift including it on 10th June, 1534, the composition for which was £20.<sup>3</sup>

Elizabeth, the elder daughter of John Baird, married Michael Naesmyth; Janet, the younger, married William Geddes, son of Charles Geddes of Rachan, and on 15th February, 1542-3, sold her half of the lands of Posso and of the superiority of Glenrathness to Mr. John Hay of Smithfield in life rent and his son James in fee.<sup>4</sup>

Janet Scott, the widow of John Baird, was in possession of her life-rent interest in Posso, and she lived until at least 1560, and bore five sons to Mr. John Hay of Smithfield, the eldest of whom, Thomas, succeeded to Smithfield (see vol. ii. p. 337). Trouble ensued between Elizabeth Baird, the wife of Michael Naesmyth, and this Thomas Hay, her half-brother. He took possession of the tower and manor place of Posso, and Elizabeth Baird, resenting this, obtained a decree from the Lords of Council on 3rd March, 1549, against him, and a notarial instrument of 17th August, 1552, records his going to her and restoring to her possession of the tower and manor place and certain furniture therein which are enumerated—"2 brokyng quhelis, a meit almyry, 5 lib.; a press almyry, 4 lib.; a stand bed, 30s.; a burd compter and forme, 40s.; a meill ark, 40s." But Elizabeth declared these were not of the same value as when she was ejected, as they had been spoiled, and she claimed their value, and acknowledged receipt of £30 as part payment of expenses. A little later they submitted

<sup>1</sup> *Horsburgh Papers.*

<sup>2</sup> Glenrath (p. 596), specified among the lands in the above grant to Thomas Baird, never apparently included more than Easter or Over Glenrath, the remainder being a pendicle of Hundleshope (p. 598). Glenrathness is the name used in the early writs.

<sup>3</sup> *Reg. Privy Seal.*

<sup>4</sup> *R.M.S.*

their disputes to the arbitration of Thomas Middlemist of Greiston and Bernard Veitch in Dawyck, but the result is not recorded.<sup>1</sup>

Elizabeth Baird on 5th April, 1553, as principal superior of the lands of Over Glenrath, lying adjacent to the lands of Nether Glenrath on the east, in the barony of Posso, gave sasine of Over Glenrath to William Veitch of Dawyck as heir to his grandfather of the same name.<sup>2</sup> Her lands of Easter Posso<sup>3</sup> had been set in tack to Bernard Veitch, and evidently he had not been meeting the rent, as on 17th May, 1559, he gave up the remaining portion of his lease in favour of her and Michael Naesmyth, her husband, and made offer to them of 83 sheep, 40 lambs, 6 cows and 6 oxen, with other goods.<sup>4</sup> A transaction between Elizabeth Baird, called Lady of Posso, and her mother, Janet Scott, called Lady of the liferent of the lands of Posso, took place on 19th January, 1560-1, when Elizabeth made offer to her mother of £3 as the rent for two terms of the east part of the lands of Posso due as her part, but her mother refused to accept it until she had obtained the advice of Elizabeth's spouse.<sup>5</sup> It has already been noticed how Elizabeth Baird demanded and obtained the tower of Castlehill and offered a wife to the young laird, John Lewis of Manor.

Janet Scott, in addition to her other claims on the Posso estate, sent her son, John Hay (first of Kingsmeadows), on 9th January, 1560-1, to William Cockburn, then in Langhaugh, to require from him delivery of the tower of Langhaugh and the reasonable terce of the other houses there, on the ground that Langhaugh was part of the lands of Posso. She claimed the tower as the second mansion belonging to her in liferent. William Cockburn, however, refused delivery without the consent of William, Lord Hay of Yester, from whom, as donator of the ward thereof, he had a tack of the lands.<sup>6</sup> Janet Scott had previously, on 6th August, 1560, sent an officer to Langhaugh, who seized six cows belonging to William Cockburn and drove them to the Market Cross of Peebles, where they were valued at £26 6s. 8d. The unpaid rent due was £24 for three terms, so the cows were sold, and £2 6s. 8d. were placed in the hands of Sir John Allane, notary, for behoof of Cockburn.<sup>7</sup>

#### NAESMYTH OF POSSO

MICHAEL NAESMYTH,<sup>8</sup> the husband of Elizabeth Baird and the first of the Naesmyths of Posso, was in the service of John Hamilton,

<sup>1</sup> *Peebles Protocols.*

<sup>2</sup> *Ibid.*

<sup>3</sup> The description in the present titles still refers to Easter and Wester Posso, which represent the division of the lands between the two sisters Elizabeth and Janet.

<sup>4</sup> *Peebles Protocols.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> The modern spelling is used throughout, but the name originally was Nasmith. There is a tradition about the origin. An ancestor of the family on the eve of battle was required to repair the armour of the King (Alexander III.). In this he was not conspicuously successful, but he fought well in the battle, and the King knighted him, with the remark

Archbishop of St. Andrews, as one of his cubiculars, and was much attached to him.<sup>1</sup> He speaks of him in his will in 1602 as "My lord and maister of guid memorie." At the battle of Langside (1568) Naesmyth fought on the side of Queen Mary and was banished. He witnessed many charters by the Hamiltons of Finnart and the Archbishop between 1554 and 1565 at St. Andrews, Paisley, Edinburgh, etc.<sup>2</sup> On 31st March, 1554, the Queen granted Michael Naesmyth,

## NAESMYTH OF POSSO



ARMS.—Quarterly, 1st and 4th Gules, a dexter hand couped proper, holding a sword Argent between two broken hammers Or for Naesmyth; 2nd and 3rd, Azure on a fess Argent a boar's head couped Gules between three Mulletts in chief and a sanglier passant in base of the second for Baird.

CREST.—A hand holding a hammer as the former.

MOTTO.—*Non arte sed marte.*

her "servitor," in liferent, and Thomas, his son, in fee, the half of the lands of Posso, with the whole mansion house and tower, garden and orchard, and the half of the superiority of Glenrathness, which Elizabeth Baird had resigned for the purpose under reservation of her own liferent.<sup>3</sup> He added to the property the lands of Over Stirkfield

that "although he was *na Smith*, he was a brave gentleman." The armorial bearings have reference apparently to this tradition—a drawn sword between two war hammers, or "martels" broken. The motto, *Non arte sed marte*, in old Scots, is "Not by knaverie but by braverie" (*arte* and *knaverie* meaning skill, not cunning).

<sup>1</sup> The Archbishop was hanged in Stirling in 1571, "the first Bishop that suffered by form of justice in this kingdom" (Calderwood).

<sup>2</sup> *R.M.S.* A James Naesmyth is much in evidence in the like capacity between 1528 and 1546. He may have been Michael's father.

<sup>3</sup> *Ibid.*

(p. 266) in the parish of Broughton, which were resigned by William Lindsay in 1564, and had a Crown confirmation of them also. Nether Stirkfield, a merk land, was acquired in 1582 through his son, Mr. Thomas Naesmyth, from Robert Douglas, vicar of Stobo (p. 266). James, Lord Fleming, made him his assignee to the gift of the ward and non-entry of the lands of Manor,<sup>1</sup> and in 1556 he compounded with William Burnet of Barns and Thomas Paterson of Caverhill for the half of their lands of Barns, Caverhill and Haswellsykes for £120.

In August, 1588, two of the sons of Michael Naesmyth—Michael and John—were slain by certain Scotts, and after the matter came before the Privy Council, steps were taken to effect a reconciliation between the two houses. In May and June, 1589, a number of the Scotts, headed by their chief, Walter Scott of Branxholm, with the Scotts in Dryhope and some others, entered into a bond to secure the safety of Michael Naesmyth and his remaining sons, Mr. Thomas and another John<sup>2</sup> from any molestation, under a penalty of £1000 Scots, and also to bring about a reconciliation by shaking of hands or pay 500 merks. And the granters of the bond obliged themselves to defend Michael

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<sup>1</sup> *i.e.* the Lowis share or one-half of the barony. The other half belonged to the Inglises.

<sup>2</sup> This John, who was born in 1556, was appointed in 1585 surgeon to King James VI. with a yearly pension of £100 Scots, and in 1587 surgeon to the Queen with the like pension. He was also surgeon to the Scots Guards in France. It is said that he married a daughter of Nisbet of Dean. If so, she was his first wife, for he certainly married Helen McMath, who after his death became the wife of Mr. Patrick Murray. He became wealthy, and acquired the estate of Cowdenknowes in 1613, and died the same year in London.

A will of his made in 1611—he seems to have made them yearly—is worth referring to. He leaves his “sillie saul” to God, and declares that he was baptized in Edinburgh by John Cairns after Calvin’s form, and was never “confessit nor communicett but efter the samyn forme, or efter the forme of the Frenche Church at London; this is the simple trewth, *nunquam eram curiosus de alterius vita.*” He directed that his “puir corps” be buried in Greyfriars Cemetery, and that 1000 merks be distributed after the burial among the poor. To his bedfellow, “puir saull,” he left the interest of 10,500 merks, “the Lord in Heaven to comfort hir and hir puir Babes and mak hir cairfull to bring them up in the feir of God.” To his daughter Anna he left “ane rubie worth ane hundreth pundis Sterling” and a chain of pearls, and for her 10,000 merks were to be invested.

The following year, “having been sorely abused by his bedfellow and her unhappy parens,” he revoked the bequest to her and leaves her nothing but what he must, “seeing he has need to be pitied under his grit afflictions.”

A tombstone was erected to his memory in Greyfriars in 1614. King Charles I. in his instructions to the President of the Court of Session in 1625 enjoined him to take “especial notice of the children of John Nasmyth so often recommended by our late dear father and us,” so that an end be put to an action which apparently was then pending. So far as known, John Naesmyth had three sons and a daughter—





JAMES NAESMYTH OF POSSO

(d. 1706)

From Portrait by Sir John B. Medina



SIR JAMES NAESMYTH

FIRST BARONET OF POSSO

From Portrait by Sir John B. Medina



Naesmyth and his sons if attacked by the Scotts of Tushielaw, who held themselves aloof from this reconciliation. The bond was signed by the parties at Branhholm and Whitehaugh, Todrigshaws and Edinburgh.<sup>1</sup>

Michael Naesmyth's eldest son, Mr. Thomas, married in 1569 Joanna Veitch of the Dawyck family, and predeceased his father. In 1602 Michael Naesmyth gave his estates, etc., to his "oy," James (the elder son of Mr. Thomas), on condition of payment to him of a yearly sum during his lifetime. At the same time he made provision for John (a brother of James), who in 1615 was apprenticed to Andrew Scott, surgeon in Edinburgh. He mentions in this disposition his two daughters, Katharine and Jane, the former of whom appears then to have been dead.<sup>2</sup>

JAMES NAESMYTH OF POSSO, the grandson of Michael, married Agnes, daughter of William Burnet of Barns, in 1610, and received with her a tocher of 4000 merks. He was served heir to his father, Mr. Thomas, in 1609, and to his grandfather in 1611. In 1617 he acquired the other half of Posso from Mr. John Hay of Smithfield. He was made a Sheriff-Depute of Peeblesshire about 1624, and in May, 1627, he was sent by the freeholders of the county, along with Jonas Hamilton of Coldcoat, to represent them at the Parliament in Edinburgh. On 15th June of the same year, in his official capacity he conducted the weaponslaw<sup>3</sup> for the shire upon the Kingsmuir at Peebles, and the roll of those who were present is still preserved among the Posso papers. In 1629 he was appointed to try some persons accused of witchcraft in Peebles,<sup>4</sup> and from 1630 to 1639 he was M.P. for Perthshire.

James Naesmyth lived until about 1658, and was sometimes in litigation with his brother-in-law, Mr. William Burnet of Barns, who calls him "Old Posso" to distinguish him from his son. He had four sons:—

Sir Michael, who succeeded him ;

Mr. John, who married Isabella Murray, daughter of Sir James Murray of Philiphaugh, and who in 1647 was appointed by James, Earl of Queensberry, to be his chamberlain—he was in Castlehill in 1658, and was the father of Sir James Naesmyth, the first Baronet of Posso ;

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Frederick, Henry, James, and Anna. Of Frederick nothing is known. Henry succeeded his father in Cowdenknowes in 1620, and was succeeded in 1628 by his brother James, who in turn was succeeded by his sister Anna. She in 1634 made over Cowdenknowes to her husband, James Livingstone of Beile, and they were interested for a time in the barony of Skirling (p. 222).

<sup>1</sup> Posso Papers.

<sup>2</sup> *Ibid.*

<sup>3</sup> He is described as provided with buff coat, steel bonnet, two pistols and sword, and accompanied with twelve horsemen with lances and swords.

<sup>4</sup> *Reg. Privy Con.*

Mr. James,<sup>1</sup> who was a writer in Edinburgh, and in 1666 is mentioned as being in Hundleshope ; and

Thomas (sometimes called a natural son), who in 1632 married Margaret Hunter, daughter of Michael Hunter of Polmood, and to whom in 1644 James Tweedie, then carpenter in Edinburgh, sold his tenement on the north side of the High Street of Peebles. He became chamberlain to Lord Yester, and later went to Dryhope and Sneip. He had a son, Michael, mentioned in 1655.

SIR MICHAEL NAESMYTH OF POSSO, the eldest son, appears to have been in the service of John, first Earl of Traquair, and probably through this connection won his knighthood about 1643. About the same time he married Barbara Young, daughter of Mr. Andrew Young, one of the regents of the College of Edinburgh, and his wife, Barbara Brown. She was the mother of his children, and died about 1660. He obtained a tack from the Earl of Traquair in 1645 of the lands of Nether Drochil for the term of his own life at 600 merks of yearly rent ; but things did not work smoothly, and he resigned the tack in 1663. Like most of the other lairds in Peeblesshire, he was only a lukewarm Covenanter, and in 1649 he was "dealt with" by the Kirk Session for his participation in the Engagement. In the following year, along with the lairds of Barns and Dawyck, he declared his adherence to the Solemn League and Covenant and his regret that he had taken part in the expedition to England.<sup>2</sup> In 1654 he petitioned to have the site of the parish church changed from the Kirk-toun to the Town of Manor, but was not successful (p. 544). In 1661 he acquired three-fourths of Whitehaugh from Margaret Tweedie, and he was also interested in Cruxlands (vol. ii. p. 363).

Sir Michael's first wife died about 1659, and in that year he was again before the Kirk Session for scandalous excess and untimely drinking. His excuse was that he had "severe pains in his legs and had lost his lady." In 1661 he married as his second wife Dame Janet Bruce (widow of General William Baillie of Letham, and mother of James (Baillie), second Lord Forrester), who in 1665 brought a grievous complaint for cruelty against him before the Privy Council. She said he had received 36 chalders of victual drawn from her life-rent lands of Letham, but that very soon after the marriage he began to use her disgracefully, threatening and beating her, taking away her clothes, and depriving her of the very means of living. He had disposed away her life-rent, and she was in terror of her life. Nor would he agree to have matters arranged through friends, although she had appealed to the Archbishop of Glasgow and to her own son. The Lords of Council ordered Sir Michael to pay her 1000 merks for her maintenance, to return her clothes, and to arrange that she should have 12 chalders of victual from the Letham lands yearly for her

<sup>1</sup> It is said that he married a daughter of Russell of Slipperfield, West Linton, and was the ancestor of the Naesmyths of Earlshaugh (p. 390).

<sup>2</sup> Session Records.



aliment. A reconciliation was never effected, and the dispute appears in the records of the Council for the next ten years. She accused Sir Michael of laying the house of Letham<sup>1</sup> and the grounds waste, and when the Council sent some of their members to examine into this and ordered him to appear at the examination, they found the doors and windows closed and blocked against them. During the progress of the conflict, Sir Michael had continually to beg from the Council protection against captions at the instance of his creditors, and these were granted to him for a specified time to enable him to attend the process. On one occasion he complained by petition to the Council that he was a great sufferer for his late Majesty (Charles I.), both by fining, confining, banishment and otherwise, and had fallen into great debt for which his estates had been appraised; also that his son and others whom he entrusted with some of his affairs were in litigation with him. On another occasion he betook himself to the sanctuary of Holyrood House, hoping thereby to be in safety from his creditors, but one of them, James Smeaton, an Edinburgh merchant, complained that he was doing so with intention to defraud his creditors, and the Council ordered him to be extruded from the Abbey.

Sir Michael died in February, 1686. His children so far as known were :—

James of Posso, his successor.

Robert of Posso, who was served heir to his brother James in 1706. Michael, who was apprenticed in 1658 to Matthew McKell, apothecary in Edinburgh.

Christian, who married Sir John Veitch of Dawyck.

Barbara, who married Mr. Alexander Dunlop, advocate.

Margaret, who married Michael Anderson of Tushielaw.

JAMES NAESMYTH OF POSSO,<sup>2</sup> eldest son of Sir Michael, had a Crown charter on 3rd November, 1665, of the lands and barony of Posso and some other lands in his father's hands by apprisings,<sup>3</sup> and there was another Crown charter to him on 1st July, 1672, of the lands and barony of Posso, which were then said to comprehend the lands of Easter Posso, an acre in the head of Woodhouse Meadow, Wester Posso, Kirkhope, Langhaugh, Horsehoprig and the superiority of Glenrathness, and Dollarburn. He was appointed Falconer<sup>4</sup> to the

<sup>1</sup> At first the house was given to Sir Michael, but later he was ordered to furnish a room in it for her, and still later she was allowed the half of it.

<sup>2</sup> Pennecuik refers to him as "a gentleman well accomplished, especially for field exercises, as hunting, hawking, jumping, horse races, etc."

<sup>3</sup> R.M.S.

<sup>4</sup> Posso Craigs, according to the writer of the second *Statistical Account*, was a royal eyrie "during the reign of some of the last of the Jameses," and the hawks there were considered superior to any in Scotland, and equal to the finest brought from Norway. In Scott's novel *The Bride of Lammermoor*, Henry Ashton of Ravenswood Castle gets his hawks from Posso.

King (Charles II.) in 1683, and he had a commission in 1684 as quartermaster of the new troop to be raised under James, Lord Drumlanrig, in the regiment of which John Graham of Claverhouse was Colonel.<sup>1</sup> In 1673 he parted with the superiority of Glenrathness or Over Glenrath to John Murray, a son of Sir David Murray of Stanhope.<sup>2</sup> He was on the commission for the Excise, and granted receipts to the magistrates of Peebles for its duties between 1670 and 1691, and licences to certain persons to brew ale.<sup>3</sup> On more than one occasion he was placed on commissions for the dispersing of conventicles, notwithstanding which he was fined by the Council, along with the other heritors of Manor, for not taking steps to arrest some armed men who on 29th September, 1680, broke into the manse of Mr. David Thomson, their minister, plundered it and took away his horses, and so unmercifully beat him that he was unable to cry for help.<sup>4</sup> He died unmarried on 24th March, 1706, and on 1st November of that year his brother german Robert was served heir to him.

DR. ROBERT NAESMYTH OF POSSO qualified himself for the medical profession and had the degree of M.D. He was the second son of Sir Michael, to whom he served himself heir on 11th April, 1712. By that time he had nothing but the name, as on 21st May, 1709, he had disposed all his lands, together with the burial place and seat in the Kirk of Manor and a tomb in Greyfriars Churchyard, Edinburgh,<sup>5</sup> to his cousin, Sir James Naesmyth of Dawyck, advocate, in return for (1) £500 sterling; (2) payment of all debts on the estate; (3) an annuity of £300 sterling; and (4) £100 yearly to his wife after his death. He died unmarried in London in 1712.<sup>6</sup>

SIR JAMES NAESMYTH OF POSSO AND DAWYCK—he received a baronetcy in 1706—was the eldest son of Mr. John Naesmyth, a younger brother of Sir Michael Naesmyth (p. 565). He obtained a Crown charter of resignation of the lands on 29th November, 1709, and immediately thereafter made an entail of the united estates of Dawyck and Posso and some other lands of Wrae in Manor. He had also a charter of the lands of Little Ormiston (vol. ii. p. 350), which he had adjudged from John Dundas of Harvieston. Dawyck, where he resided, he renamed New Posso, and took the designation “of Posso.” In 1714 he had a charter of part of Woodhouse and Boghouse from Charles, Earl of Traquair, and died in July, 1720. He was three times married—to Jane Stewart in 1688, widow of Sir Ludovic Gordon, Baronet of Gordonstoun, Elgin; then to Janet

<sup>1</sup> Posso Papers.

<sup>2</sup> Barns Papers.

<sup>3</sup> Burgh Papers.

<sup>4</sup> *Reg. Privy Con.* His assailants declared that they themselves would “panse” his wounds by giving him the “crosse streak,” and that it would be well for the Kirk of Scotland if all the curates and oppressors of Christ’s cause got the like.

<sup>5</sup> It is known as the Naesmyth Tomb, and many of the family were buried there.

<sup>6</sup> Edr. Tests.



SIR JAMES NAESMYTH  
SECOND BARONET OF POSSO



SIR JOHN MURRAY NAESMYTH  
FOURTH BARONET OF POSSO  
From Portrait by Nicaise de Keyser





Murray, daughter of Sir William Murray of Stanhope; and then to Barbara Pringle, daughter of Andrew Pringle of Clifton. She survived him and died in 1768. He had a family of five sons and three daughters, all by the third marriage:—

James (who succeeded), and Andrew, Robert, John and Charles, who all died without issue.

Violet, who married James Carnegie of Finhaven.

Barbara, who married George Campbell of Carsgownie, Forfar, and died in 1764.

Janet, who married in 1732 Michael Anderson of Tushielaw.

SIR JAMES NAESMYTH, the eldest son, was a well-known botanist (vol. i. p. 419), and was M.P. for Peeblesshire, 1732-41. He was served heir to his father on 8th July, 1721, and held the estates until February, 1779, when he died. He was also served heir on 28th April, 1775, to his brother John Naesmyth, Clerk to the Admission of Notaries (who died on 10th August, 1764), in the lands of Chapelgill<sup>1</sup> and half of Logan,<sup>1</sup> and to his brother Robert Naesmyth (who died on 29th March, 1760) in Mossfennan and the half of Logan;<sup>1</sup> and on 17th July, 1776, he was served heir to his mother Dame Barbara Pringle. His wife was Jean Keith, daughter of Thomas Keith, a grandson of the Earl Marischal, and he left two sons—James, who succeeded, and John, who was a colonel in the West India Regiment.

SIR JAMES NAESMYTH OF POSSO, his eldest son, was served his heir on 22nd April, 1779. He made an exchange with James Burnet of Barns of some of their lands in Manor, the matter having been in treaty between these neighbouring lairds in the time of his father. Sir James, who was in Vienna at the time, granted a commission to his agent, Walter Scott, W.S. (the father of Sir Walter Scott), who carried through the business on his behalf (p. 608). He married (contract dated 31st January, 1785) Eleanor Murray (probably a daughter of Sir Archibald Murray of Blackbarony)<sup>2</sup> who was infeft in liferent on 10th January, 1789, in parts of Old Posso and the lands of Crookston (vol. ii. p. 369).<sup>3</sup> She died in 1807, and Sir James married again, in 1828, Harriet Jones, daughter of John Jones, Westham, Sussex. He died on 4th December, 1828. By the first marriage he had one son and six daughters:—

John Murray, who succeeded.

Eleanor, who married George William Villiers and left issue.

Jane, who married John McQueen.

Mary, who married (1) Captain James Dalrymple and (2) Fitzherbert McQueen, and left issue.

Joanna, who died unmarried, 1885.

<sup>1</sup> These were superiorities (see p. 275).

<sup>2</sup> *Burke* states that she was the second daughter of John Murray of Philiphaugh.

<sup>3</sup> *Part. Reg. Sas.*

Harriet Elizabeth, who married William Lambarde, D.L. of Beechmount, Sevenoaks, Kent, and left issue.

Charlotte, who married in 1828 David Anderson, and died in 1868, leaving issue.

By the second marriage he had :—

Michael George, who succeeded his nephew, the fifth baronet.

Jemima, who married in 1862 John Boulger, barrister, and died in 1902, leaving issue.

SIR JOHN MURRAY NAESMYTH, fourth baronet, was born in 1803, and was served heir to his father on 9th January, 1830. He married in 1826 Mary, daughter of Sir John Marjoribanks, Baronet. She died in 1836, and in 1839 he married Eleanor, daughter of Thomas, second Lord Lilford. He lived chiefly abroad, and died in 1876, survived by his second wife, who died in 1880. By the first marriage there were five sons and one daughter :—

James, who succeeded.

John Stuart, Stuart, John Marjoribanks, and Robert, who all died young.

Alice Mary, who married in 1851 Major Francis Whitworth Russell, 5th Bengal Cavalry. He died in 1872, and she in 1892, leaving issue.

By the second marriage there was one daughter :—

Ada Eleanor.

SIR JAMES NAESMYTH, fifth Baronet, was born in 1827, and for a time was in the Bengal Civil Service. He was a member of the Royal Company of Archers (King's bodyguard in Scotland), and a Deputy-Lieutenant for Peeblesshire; he was also a Justice of the Peace. In 1850 he married Elizabeth Gordon Brodie, daughter of Francis Whitworth Russell, of the Bengal Civil Service, second son of Sir Henry Russell, Baronet of Swallowfield. She died in 1887, and the following year he married Agnes Carus Wilson, daughter of the Rev. David Barclay Bevan of Courtlands, Tunbridge Wells. Sir James died without issue in 1896, survived by his second wife, who married in 1898 the Rev. Ernest Charles Bevan, and died in 1924.

SIR MICHAEL GEORGE MURRAY, sixth Baronet, son of Sir James Naesmyth, third Baronet by his second marriage, succeeded his nephew, the fifth Baronet. He was born in 1828, trained as a civil engineer, and was served heir to the estates on 23rd January, 1897. He married in 1863 Mary Ann, eldest daughter of John Nicholls, clerk in the Lord Chancellor's Court, Westminster. He disentailed Dawyck in 1897, and sold it to the trustees of Alexander Balfour (p. 444). By his marriage he had three sons :—

James Tolmé, who succeeded.

Arthur Charles (1865-1893), who died unmarried.

Donald Luttrell Kilve, M.R.C.S., L.R.C.P. (1874-1919), who married in 1901 Flora, daughter of H. N. Burrage, and died 1919, leaving one son, Douglas Arthur Bradley, who succeeded as eighth Baronet.

Sir Michael George Naesmyth died in 1907, survived by his wife, who died in 1918.

SIR JAMES TOLMÉ NAESMYTH, seventh Baronet, was born in 1864, and died unmarried in 1922, succeeded by his nephew Douglas.

SIR DOUGLAS ARTHUR BRADLEY NAESMYTH, eighth Baronet, the present proprietor, is the only son of Donald Luttrell Kilve Naesmyth, brother of Sir James Tolmé Naesmyth. He disentailed the estates in 1926, and the same year sold the farm of Langhaugh to Mr. James Linton of Cademuir. He still holds the remainder of Posso, and the lands of Cardon and Chapelgill (p. 309) in Glenholm.

BURNET OF BARNES<sup>1</sup>

ARMS.—Argent 3 holly leaves Vert, a chief Azure.

CREST.—A hand with a pruning knife pruning a vine tree proper.

MOTTO.—*Virescit vulnere virtus.*

The shield carried by the Burnets is similar to that of the Lowis family, and in view of the fact that both families appear in the parish about the same time, one is tempted to think that there may be some untraced connection between the two. The Lowis leaves are described as laurel and the others as holly (*i.e.*, Burnet leaves (*Pimpernella saxi-*

<sup>1</sup> The information here given is taken largely from the Barnes Papers in the custody of the Town Council of Peebles. There is also a privately printed account of the family by Montgomery Burnett in 1882. The original spelling of the name is used throughout the text. William Burnett of Barnes, Treasurer Clerk of Scotland (1639-75) was the first of the family to write the name with two T's.

*fraga*), which are not unlike the holly). Nisbet in his *Heraldry* (1722) says, "Leaves, of what kind I know not, frequently called *Burnet-leaves*, are carried by the name of Burnet, as relative to the name, which is ancient with us." With regard to the motto, it is the same as that carried by the Earls of Galloway, but their crest was a pelican feeding her young. The Burnets of Leys in the North took the same motto, but the Burnets of Barns disputed this between 1530 and 1563 before the Lord Lyon, Sir David Lyndsay. The result was that the Burnets of Leys changed their motto, and in allusion to the occasion took, *Alterius non sit qui potest esse suus*. There was a long dispute between these two families as to which was chief of the name, and it was decided in favour of the Barns family about 1769 by Sir Robert Douglas, to whom the old writs and charters were submitted for examination. It was perhaps the Barns motto that Queen Mary had in view when during her captivity in England she embroidered for the Duke of Norfolk a hand with a sword in it cutting vines, with the inscription, *Virescit vulnere virtus*.

The Burnets originally had their home at Burnetland in the parish of Broughton, in the account of which parish some notice will be found of them (p. 267). The family came to Manor in the fifteenth century through the marriage of Burnet (his Christain name has not been ascertained) with Marion Caverhill, one of the three daughters and co-heiresses of George Caverhill of that ilk. He died before 1470, and left her a widow with a young son, John, who was not only heir to Burnetland, but also to his mother's third of the Caverhill estate, and her share of the lands of Nether Crailing in Teviotdale. Marion Caverhill married as her second husband George Davidson, a burgess of Peebles, and with his consent on 17th August, 1473, she resigned her one-third of Nether Crailing in favour of John Burnet, her son and heir.

JOHN BURNET OF BURNETLAND, as he was called, married Sibilla Veitch of the Dawyck family, and on 15th March, 1495, they had a charter from Margaret Veitch, spouse of John Towris, burgess of Edinburgh, of a tenement in Peebles east of the market cross, for which they were to pay to the chaplain of Our Lady Altar in Stobo 5s. Two years later, on 7th December, 1497 (by which time his wife was dead), Burnet resigned this tenement in favour of the chaplain of the altar of the holy rood in the parish church of St. Gorgon of Manor, and on the 23rd of the same month he made a formal mortification of this tenement and of some other lands on the south side of the Old Town of Peebles, with an annual rent of 6s. 8d. from some lands in the Northgate, for the repose of the souls of "umquhile Sibillye Vaich, spouse of ye said John," and others, under reservation of the right of electing the chaplain of the said altar in the event of a vacancy.

John Burnet's portion of the lands of Caverhill was the third of Caverhill itself, called Haswellsykes, one-third of Over Glack and one-third of the "Sourelands"—in all rated at five merks of old extent. On his portion were the Barns of Caverhill, and there he erected his tower, part of which still stands in the rear of the present mansion





SIR JAMES NAESMYTH  
THIRD BARONET OF POSSO  
From Portrait by Anton Graff



LADY NAESMYTH (ELEANOR MURRAY)  
First Wife of Third Baronet  
From Portrait by Raeburn



house of Barns.<sup>1</sup> His maternal aunt, Elspeth Caverhill, who had married Patrick Dickson, gave him towards the end of the same year a nineteen years' lease of her third of Caverhill and Glack for £5 yearly, and this portion later became the property of the Burnet family (p. 615). He also received on 18th April, 1500, from Thomas de Lowis of the Castlehill, who calls him his well-beloved friend, a tack of the half of Haswellsykes, of which Lowis had the ward, for five years at a rent of 40s. yearly. John Burnet died in 1502, and on 15th February, 1502-3, Mariota or Marion Inglis, as his widow (she was his second wife and a daughter of William Inglis of Murdieston) was "kenned" to her terce of the five merk lands of the Barns of Caverhill and the half of Burnetland in the barony of Broughton. He left an infant son, called William.

WILLIAM BURNET OF BARNs, the next laird, was, while in minority, under the care of his maternal grandfather, which shows that there were no paternal relatives available. But William Inglis, the laird of Murdieston, was an old man, and in 1505 (23rd September) he petitioned that Mr. John Murray should be joined with him in the duty because, he said, "I am agit and may nocht travel in defence of the said William." William Burnet came of age about 1522, and was then infeft in his third of the mains of Crailing and mill thereof on a precept from John Cranston of that ilk. He married Elizabeth Veitch before 1528, in which year John Paterson of Caverhill gave to them a lease of two acres of his lands called Twidscrofts for four years. Along with Thomas Paterson of Caverhill he had in 1534 a lease for nine years from John Lowis of Manor of half of the lands of Dollarburn and "Newai"<sup>2</sup> on Manor Water. He had also an act in his favour by the bailies of Peebles on 20th January, 1532, as having right as his father's heir to certain annual rents from lands in the High Street. Exercising the patronage claimed by his father, William Burnet appointed in 1546 Sir Adam Lowis to be chaplain to the altar of the holy rood in the parish church of St. Gorgon of Manor, and installed him in office by the delivery of chalice, book, missal and other ornaments of the altar. To this ceremony his son William Burnet, younger, was a witness.

At eight o'clock in the morning of the 20th of April, 1558, an officer of Thomas Tweedie, Captain of Neidpath (in the absence of William, Lord Yester, and his curators) went to the piece of haughland on the south side of the Tweed near the mouth of the Water of Lyne, which piece of ground John, Lord Yester, William's father, had fenced of old and "palit" as belonging to himself. The officer there reset the old boundaries in the presence of William Burnet of Barns, Thomas Paterson of Caverhill and William Rutherford, as lairds and heirs of "Aswalsykis" (Haswellsykes), which adjoined the said haughland ;

<sup>1</sup> The old iron door is still in position, and above it the date 1498, but the lettering is comparatively modern.

<sup>2</sup> This place is now called Newholme.

and he desired Burnet to desist from occupying it. Burnet replied that he was in peaceable possession of that piece of ground as part of the lands of Barns, and to this transaction John Burnet, his son, was a witness.

William Burnet made his will on 9th February, 1563-4, and 26th March, 1564, and died soon afterwards. In it he desired his body to be buried in the choir of St. Gorgon the Martyr. He left three sons and two daughters—William, who succeeded him in Barns; John Burnet of Woodhouse (p. 606); Thomas, of whom nothing is known; Agnes, who married Thomas Sandilands of Bold; and Marion.

WILLIAM BURNET OF BARNs on 8th May, 1564, had a precept of *clare constat* (as heir to his father) from Sir William Cranston of that Ilk in the third of the mains and mill of Crailing, Coithauch, Dowcot-croft and Pultisland in Crailing, in which lands his father on his own resignation had received a new charter on 30th September, 1555. He was also infeft in Barns, etc., in December, 1564. During his father's lifetime he was infeft in 1545 by John Lowis of Manor in the fourth part of Dollarburn, which transaction was probably carried through on the occasion of his marriage to Isobel Hay, and there was a new charter of this land in 1549 by Lowis, which was confirmed to William Burnet by Michael Naesmyth as superior on 10th July, 1565.

It is recorded on 2nd October, 1558, and it illustrates the state of the times, that William Burnet—he was then younger of Barns—went to John Brown in Edston, in the house of John Hay in Peebles, and in name of Robert Brown, son of the deceased Marion Hay, offered to him all the goods (*i.e.* cattle) contained in the act inserted in the books of the commissariat of the jurisdiction of Stobo. This he did because, as it is stated, theft and robbery of cattle were prevalent in the southern parts of Scotland. He promised to pay for their pasture until Whitsunday next, but Brown refused acceptance, and Burnet then stated that he would not be responsible for their loss at the hands of the English or other robbers.

In terms of a decree arbitral William Burnet was in 1573 placed in possession of a half merk land of Over Glack, called the third of the third, by Thomas Paterson of Caverhill.<sup>1</sup> He died at the end of January, 1574-5, making his will on the 26th of that month, in which he desired that his body be buried in "Sanct Goirganes Kirk of Menner." His wife, Isobel Hay,<sup>2</sup> survived him, and also his children—William, who succeeded; John, Gavin, Isobel, and Janet. The last named married (contract dated 5th July, 1574) Adam Rutherford, son and heir of Robert Rutherford, who was son to William Rutherford in Kidheuch, her tocher being 400 merks, and they had sasine on 25th December, 1574, on a precept from James Hoppringill of

<sup>1</sup> This was the outcome of a dispute between Burnet and Paterson about the rents of a part of Over Glack. Burnet got a decree for arrears from the Lords of Council.

<sup>2</sup> She was still alive in 1594.



Woodhouse, in the half of a third part of Caverhill called Haswellsykes, Glack and Sourlands, which then belonged to Adam's father.

WILLIAM BURNET OF BARNS, the eldest son, was retoured heir to his father on 21st April, 1575, and became perhaps the most famous of his line. He was known as the "Hoolet of Barns," and tradition has it that this description was due to the keenness of his vision by night as well as by day. He is said to have been of great stature and bodily strength, and to have lived to the age of 107. He married (contract dated 9th August, 1576) Margaret, daughter of James Stuart of Shillinglaw and sister of John, first Earl of Traquair;<sup>1</sup> and her uncle, Sir John Stuart of Traquair, on that date promised that he would purchase from Cranston of that Ilk the gift of William Burnet's marriage, which had fallen into Cranston's hands by ward, and make it over to him. In 1591 John Murray of Blackbarony became surety that William Burnet would appear before the Privy Council "to answer to sic things as sall be inquirit of him touching sic deidlie feid as he hes interest in," but the result of this is not recorded.

In 1597 William Burnet acquired the third of Hallmeadow, Templemeadow and Horswairdmeadow from Simon Scott in the Newhouse, son of Adam Scott of Bonnington. In the same year, as head of the family, he granted a letter of slains to Walter Scott (brother of Robert Scott of Thirlstane), who some ten years before had killed his cousin John Burnet.<sup>2</sup> With him in this transaction were his uncle, John Burnet in Woodhouse, and the latter's two sons, John and Thomas; and they condoned the crime. In 1599 William Hamilton, one of the bailies of Edinburgh, sold to Burnet his lands of Middlethird of Slipperfield (p. 159), and in the following year he purchased from James Pringle of Whitebank the half of the barony of Manor which had lately belonged to the Inglis family (p. 553). He had also in 1600 a new charter of the lands of Coithauch in Roxburghshire from John Cranston of that Ilk and his son William.

As a sequel to the acquisition of the half barony of Manor, William Lowis, merchant in Peebles, but dwelling in the Town of Manor, resigned in May, 1602, his lands of the Town of Manor, in the hands of William Burnet of Barns, his superior, giving him possession thereof by taking his moveables furth of the house and "inputing" the said William Burnet by delivery to him of "the hespis and stepill of the doors and delffing of the ground thair of as the custom is." Burnet thereafter gave Lowis a new sasine.

In 1611 William Burnet of Barns was recognised as superior of Manorhead in the service of John Inglis thereof to his father. On 18th October, 1626, he and his sons, Mr. James and Gavin, with John Burnet, elder and younger, in Boghouse, were arraigned before

<sup>1</sup> Above one of the upper windows of the old house are carved in raised Roman letters W. B. M. S., the initials of the "Hoolet" and his wife.

<sup>2</sup> John would be a son of Thomas Burnet.

the bailies of Peebles and a jury for a riot, involving the effusion of blood, against James and John Scott and Adam French on the fair day (9th October), but they were assoilzied.<sup>1</sup> At the weaponslaw in 1627 on the Kingsmuir, Burnet was present, designed elder of Barns, well horsed, with a buff coat, steel bonnet, lance and sword, and accompanied by seven horsemen with lances and swords, and a footman with lance. He took part in affairs up to the end, and was known as "Old Barns." In 1636 he assisted at a sasine at Caverhill, and in 1640 sat on a jury in Peebles for serving the heir in Purveshill. He died in April, 1646. His wife, Margaret Stuart, died on 21st December, 1625, and in her testament she desired that she might be buried in the churchyard of Manor under the great south window of the choir, where many of her deceased children were buried. Eight children, however, survived their parents, and some of them rose to eminence and distinction, several of the sons being University graduates.

1. John Burnet of Barns, of whom later.

2. Mr. James, second son, graduated at the College of Edinburgh, 27th July, 1609. On 17th September, 1615, he was admitted minister of Lauder, and was there until 1635, when, on a presentation by King Charles I., he was inducted to Jedburgh, whence he was deposed in April, 1639. He died in 1642. He married Christian Dundas, daughter of George Dundas of that Ilk, and had three sons—

(a) Robert Burnet, M.D. of Edinburgh, who married Margaret Murray, sister of John Murray of Philiphaugh, and died in October, 1663, leaving a son, Robert, who also became a doctor of medicine, and died without issue, his testament being given up by Mary Burnet, Lady Prestonhall, as his cousin and nearest of kin.

(b) James, who was a witness at Edinburgh to the bond by Mr. William Burnet, fiar of Barns, and was designated son of the deceased Mr. James Burnet, "my uncle."

(c) Alexander, who was born in 1614, and baptised in Edinburgh on 6th August, 1615. He graduated at the College of Edinburgh on 22nd June, 1633, and became chaplain to the Earl of Traquair. He was presented to Coldingham in 1639, but not settled. He went to England, where he took orders and served in Kent, but was ejected in 1650 for his loyalty to the Stuarts. He then went abroad, and after the Restoration became chaplain to General Andrew Rutherford, then Governor of Dunkirk, afterwards Earl of Teviot, and cousin german to his father.<sup>2</sup> He became rector of Ivechurch in 1660; was made Bishop of Aberdeen in 1663, Archbishop of Glasgow in 1664, from which he was ousted by Lauderdale in 1669 owing to the efforts he made

<sup>1</sup> Burgh Court Books.

<sup>2</sup> Isabel Stuart, sister to Margaret, wife of the "Hoolet," married William Rutherford of Quarryholes, and was the General's mother.



BARNS TOWER





for a more lenient treatment of the Covenanters. On the occasion of the state funeral of the Marquis of Montrose, after the Restoration, Archbishop Burnet preached a sermon from the text "Blessed are the dead which die in the Lord," which was published in Glasgow in 1673. He was restored to the See of Glasgow in 1674, and after the death of Archbishop Sharp in 1679 succeeded him in St. Andrews, and died there on 24th August, 1684. He married Elizabeth Fleming, daughter of George Fleming of Kilconquhar, Fife, and had a son, who predeceased him, and two daughters—Anne, who married in 1667 Alexander, seventh Lord Elphinstone, and after his death, without issue, Alexander, third Lord Elibank; and Mary, who married Roderick Mackenzie, Lord Prestonhall.

3. Mr. Alexander, of Carlops, who was Treasurer-Clerk of Scotland until 1639 and H.M. Advocate-Depute. (See Carlops in the parish of West Linton, p. 125.)

4. Mr. Robert, who studied for the law and was (1615-16) a regent in the College of Edinburgh. In 1623 he was an advocate, and designated "younger" to distinguish him from another Mr. Robert Burnet, advocate (apparently of the Leys family), who was designated "elder." In 1633 he acquired the barony of Cringletie in Eddleston parish, but did not long enjoy it, as he died in November of that year, leaving by his wife, Margaret Heriot, who survived him, a son, Mr. William Burnet of Cringletie (vol. ii. p. 469), and two daughters, Margaret and Agnes, the latter of whom married James Chisholm of Harehope.

5. William, who is mentioned as a son in 1614 and 1615, when he witnessed documents. He was for a time portioner of Woodhouse (p. 606), and became a barber-surgeon in Edinburgh.

6. Gavin, the youngest son, was also bred to the law, and became a Writer to the Signet, serving his time with Andrew Hay of Haystoun, W.S. He was concerned in many money transactions with his father, his elder brother, and nephew regarding the estates. In 1654 he appraised the estates for the gross debt due to him of 18,421 merks and 921 merks of sheriff's fee, and had himself infeft in the lands on a charter from John, Earl of Traquair, and his son John, Lord Linton, as superiors. He was made a burghess of Peebles on 19th June, 1660. He married Helen Ramsay of the Torbain family, and died in October, 1660, survived by her and five children—

(1) Robert, who became a W.S. and was commissary of Peebles. He was left to clear up financial matters with his relatives, which took some thirty years to accomplish. He is said to have been killed in a duel in 1699 by James Wishart of Logie. He married Elizabeth Cockburn.

(2) James, who became a merchant in Edinburgh.

(3) David, who also went to Edinburgh.

(4) William, who was a writer in Edinburgh; and

(5) Isabel.

7. Christian, who married about 1608 John Scott of Hundleshope (p. 601).

8. Agnes, who married James Naesmyth of Posso (p. 565) in 1610.

JOHN BURNET OF BARNES, the eldest son of the "Hoolet," only survived his father one year, but had never complete independent possession of the estates. He married in 1610 (contract dated 5th June) Margaret Scott, only daughter and heiress of Simon Scott of Bonnington by Marie Scott (who survived Simon a considerable time, and was known as Lady Bonnington), and as her liferent lands his wife received a charter from his father of the middle third of Slipperfield (under reservation of his own liferent of the sunny half) and of the Kirklands of Manor. Her tocher was 3000 merks. Through this marriage Bonnington was brought into the family. She died before 1622, and he married as his second wife Marion Inglis, daughter of John Inglis of Manorhead. By his first wife he had two sons and a daughter, and by his second wife one son and two daughters. He died in or about 1647. His children were :—

1. William, of whom presently.

2. John, the second son, was during his life variously described as in Carswell, in Staniepath,<sup>1</sup> in or of Gledstanes, and finally of Kailzie, of which with Scotsmill he had a wadset from John, Lord Linton, in March, 1656. James, Lord Carnegie, who had a right to some of the Earl of Traquair's rents in Selkirkshire, appointed John Burnet his chamberlain to collect these in 1655, and in June, 1656, Lord Linton, who had borrowed 1000 merks from Burnet, appointed him his chamberlain to uplift so much of his rents as would satisfy the loan. He was a prosperous member of the family, and had financial transactions with his relatives. He was twice married, first (contract dated 21st December, 1641) to Helen Baillie, daughter of James Baillie of Hillis, Lanarkshire, by Catherine Inglis (tocher £1000)—she died on 17th January, 1654; and secondly (contract dated 23rd October, 1656) to Grizel Menzies, Culterallers, Lanarkshire, who survived him and married ——— Somerville of Gledstanes. By his first wife he had four children and by his second wife one daughter :—

(a) William of Kailzie, afterwards of Barnes, of whom later.

(b) Captain James, who was a merchant and shipowner in Leith. When the estate of Barnes was in danger of passing out of the hands of the heirs male, having been apprised, as formerly mentioned, by Gavin Burnet, W.S., and afterwards disposed by Gavin's son Robert to Roderick Mackenzie, Lord Prestonhall, application was made to Captain James, who advanced 25,000 merks and acquired them from Prestonhall, granting at the same time a back-bond in favour of the Laird of Barnes, who made him factor

<sup>1</sup> This Stoney path is in the parish of Dunsyre.

over the estate in his absence.<sup>1</sup> Before, however, transactions were completed Captain James died in March, 1690, and left a heritage of litigation about the estate to his widow and daughter. He married Alison Gibson, and had one daughter, Alison Burnet, who was served as his heir on 7th June, 1690, and married John Dundas, grandson of Sir William Dundas of that ilk.

(c) Margaret, who married first James Lockhart, W.S., and secondly George Macaulay.

(d) Mary.

(e) Helen, the daughter of Grizel Menzies, who married in 1680 James Douglas of Muiriesdykes, Lanarkshire.

3. James, only son of John Burnet of Barns by his second wife, settled in the Town of Manor for a time (1654-1657), and agreed to leave on receiving a bond from his half-brother William for 3000 merks in settlement of what was due under his mother's contract of marriage to himself and his two sisters.

4. Elizabeth, and

5. Janet.

MR. WILLIAM BURNET OF BARNs, eldest son of John Burnet of Barns and grandson of the "Hoolet," succeeded to his father and grandfather in 1647. In his minority he was sued twice as heir to his maternal grandfather, Simon Scott of Bonnington, in respect of debts due by the latter, but he renounced his heirship, and his father judged it prudent to have curators appointed to him in respect of this relationship. When he came of age he entered the service of John, Lord Stuart of Traquair, who was then high in favour at the Court of Charles I., and as his servitor received the freedom of the burgh of Burntisland on 28th October, 1631. But this association with the house of Traquair proved the undoing of the house of Barns.

In the zenith of his advancement Traquair sought to aggrandise his house by adding many of the Peeblesshire estates to his name, and Barns was not exempted. It appears from papers in the Barns charter chest relating to a litigation with the Earl of Traquair in 1652, that Burnet, in resisting claims made by the Earl upon him, refers to a blank bond which he had granted to him, and rests his defences upon that. This suggests some fraudulent dealing. However, the facts are as follows:—

On 19th February, 1636, a contract was made between John, Earl of Traquair, and Mr. William Burnet, in which the latter acknowledged that he had borrowed 8000 merks from the Earl, and obliged himself to pledge the lands and estate of Barns in security for the debt and payment of the tack duty or interest of 640 merks yearly.

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<sup>1</sup> Janet Burnet in Barns made a declaration in 1697 that Captain James Burnet in Leith for two years and Alison Gibson, his wife, for one year gave her a boll of meal yearly for maintaining their servants when they came to Barns, which, she adds, "was very dear bought to me, considering their servants' maintenance."

Another contract, dated 13th February, 1636, obliges William Burnet of Barns (the "Hoolet") and his eldest son John, on the narrative that the Earl had paid certain great sums of money, to sell to him their lands and estate of Barns, which the Earl, on his part, promises to dispoine to Mr. William Burnet. This was followed by a disposition of their lands to the Earl, dated at Peebles and Holyroodhouse 20th and 30th November, 1638, viz. :—

One half of the barony of Manor,<sup>1</sup> comprehending Barns, Haswell-sykes, Caverhill,<sup>2</sup> Over and Nether Glack,<sup>2</sup> Woodhouse,<sup>3</sup> Town of Manor,<sup>4</sup> Boghouse,<sup>4</sup> Manorhead,<sup>4</sup> Hallmeadow<sup>5</sup> and Horswaird,<sup>5</sup> Temple lands of Manor,<sup>6</sup> Dollarburn<sup>7</sup> and Stingbank,<sup>7</sup> Newbie,<sup>7</sup> called the three-thirds, Dogflat,<sup>7</sup> Hallmanor<sup>5</sup> and Castlehill<sup>5</sup>—which the Earl again promises to dispoine to Mr. William Burnet. This promise was to a limited extent implemented by a charter granted by John, Earl of Traquair, on 12th November, 1640, and sasine was taken thereon by Mr. William Burnet in the lands of Barns, Haswell-sykes, and two-thirds of Over Glack; and in the same sasine infestment was given to William Burnet, elder of Barns (the "Hoolet"), in liferent, and on his death to John Burnet, his eldest son, also in liferent, of the Town of Manor, a quarter of Woodhouse, Hallmeadow and Horsewaird and the lands called the Temple lands of Manor.

On 22nd September, 1643, there is a document by the Earl, referring to the above contract in 1636 by Mr. William Burnet, stating that Burnet is not able to pay the tack duty or interest, that if it were exacted it would ruin him, and therefore, for the love he bears to him, discharging the same for Martinmas, 1637, and for the years 1638, 1639, and 1642. A month later, on 22nd October, the Earl grants another discharge, in which he narrates that Mr. William Burnet had wadset to him the lands of Barns for 8000 merks, and for the love he bears to him and to help him to buy Woodgrevington, he discharges 1300 merks of the said 8000. Then on 24th March, 1648, the Earl and his son John, Lord Linton, grant a renunciation in favour of Mr.

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<sup>1</sup> The lands here enumerated comprise more than the half barony which belonged to the Inglises, and which was acquired in 1600 from James Pringle. They include also parts of the other half barony which belonged to the Lowises.

<sup>2</sup> Burnet had two-thirds only at this time (p. 614).

<sup>3</sup> Burnet had only one-quarter (p. 606).

<sup>4</sup> Burnet could only be conveying the superiority of these properties, with the exception perhaps of the Town of Manor (p. 595). Boghouse was part of Woodhouse.

<sup>5</sup> It is not clear what right Burnet had to these lands. (See pp. 594-5). Perhaps he held a mid superiority.

<sup>6</sup> See p. 609.

<sup>7</sup> These were all parts of Posso by this time (p. 592). Burnet's predecessors had only one-fourth of Dollarburn and Dogflat. The names Sting-flat, Newbie, and Dogflat have disappeared in the parish of Manor.



William Burnet of the lands of Barns, etc., which were wadset to them for 8000 merks, which sum they said he has paid. And then comes the claim in 1652, which led to litigation, by the Earl against Mr. William Burnet for the sum which the latter states was inserted in the blank-bond. There is also a fragment extant of a memorial by Burnet in which he pleads with the Earl in connection with this litigation. It is interesting in several respects. He remarks that he had received large promises from his Lordship, on whom he and his father had relied as their patron and protector, "being branched out of your family, which is honor to us and the greatest particular credit or reputation we had or hes in this lyff." He then states that in addition to this tie of blood there were several other duties of service which might have moved his Lordship,

"as witness my seven years service and more without any gratuitie or benefite for it except so much as by Your Lordship's word and wryt to his umquhil majestie or those about him for my place as the reward of pains in rydeing extraordinarily night . . . (torn for about half a leaf) . . . Majesties affairs, and lastly my grandfather's grandfather<sup>1</sup> by the former tradition did attend and follow your Lordship's first and eldest granduncle, Robert Stewart, who for the time served the Queen at Pinkiefeild, in the which attendance and following of your Lordship's said predecessor the said . . . of Burnetland, grandfather to my guidshir, received ane wound in his head which thereafter procured ane palsie to him in his elder years, which two last particulars did so tak and move your granduncles, Sir John and Sir William, as to accept of my umquhile grandfather to their honors family and bestow on him ane brother daughter of their family."

He deprecates his Lordship's unkind dealing with him now, and hopes he will not have occasion to complain of injustice.<sup>2</sup>

The place to which Mr. William refers in that extract as conferred upon him by the King was that of Treasurer-Clerk, Comptroller, Collector and Treasurer of the Temporality of the Kirklands annexed to his Majesty's Crown, Treasurer of the Annuities within the kingdom of Scotland, and Clerk of the Principality of said kingdom. To this office, which his uncle, Mr. Alexander Burnet, had previously held, he was admitted on 14th October, 1639. From it he was suspended in 1647, probably for some display of attachment to King Charles I. which caused displeasure to the Covenanting Lords of Council of the time. His conduct was investigated, and the offence considered so slight that it was found to fall under the third class, and condoned

<sup>1</sup> William Burnet, who married Elizabeth Veitch (p. 572).

<sup>2</sup> The result of the transactions before enumerated was that the Earl of Traquair remained the superior of Burnet's lands, and that explains why his successors are found in later years granting precepts of *clare constat* and charters of confirmation applicable to Barns, Woodhouse, etc.

for a fine of 500 merks. Whether he paid or not does not appear, but he evidently lost the place during the Commonwealth, to which, however, he was reponed on 10th June, 1661.

On 15th May, 1644, Mr. William Burnet, while Treasurer-Clerk of Scotland, was accused in the Burgh Court of Peebles of coming in silence of night to the Market Cross and with oaths and imprecations troubling the watch and "wisching that the toune of Peblis wer all burnt in ane fyre," frightening the people out of their beds and mutilating with his sword the left hand of William Hislop, wright in Peebles, one of the watch. He admitted the charge, and came under the bailies' will, promising to indemnify those he had injured. Later, on August 7th, Mr. Andrew Watson, vicar of Peebles, sued William Hislop for 240 merks for curing his left hand and restoring the two foremost fingers, which had been cut and mutilated. He was awarded 200 merks; and as an extract of the decree of court is found among the Barns Papers, it may be taken for granted that Burnet paid it (vol. ii. p. 45). He had a dispute also with Mr. John Hay, parson of Peebles and Manor, about 1650-2 respecting his teinds. The English Sheriff of Peebles at the time was Samuel Desborrow, and on 20th September, 1657, he sent the following letter to Burnet:—

"I understand you have broke up a letter of mine to my deputy, Mr. Spittall, and that you have by armed persons affronted Sir Alexander Murray, my assessor, in his giving possession to Mr. Hay, the minister of Peebles, of his tithes, which I hear are just right."

He further summoned Burnet to appear before him and explain his conduct, with the threat that he would take sterner measures.

Mr. William Burnet married (contract dated 31st March, 1648) Christian Whiteford, second daughter of Walter, Bishop of Brechin, by Anna Carmichael; the tocher was 10,000 merks. She died in 1674, and he in 1675. He made a will in 1656<sup>1</sup> in which he appointed his wife to be his executrix. She was directed to bring up their son William to be a scholar, and to educate the others according to her ability. He desired his son to marry into a good family,<sup>2</sup> and to follow the house of Traquair so long as they stood for the succession of King Charles to the throne.<sup>3</sup> In the event of his son dying without

<sup>1</sup> This will was made preparatory to engaging in a duel as second to his kinsman, Lord Linton, and begins:—"Seeing there is nothing more certain than death, and the hour uncertain, and I being about to hazard my life for the honour of Lord Linton, and at his desire as his kinsman (which in worldly requests cannot be shunned): Therefore, if the Lord shall magnify Himself in destroying me, a worm, and cast me away in the sin of presumption for this and my other sins, I will and declare" . . .

<sup>2</sup> "I desire her be carefull to match him to a good sort of people, or honorable and honest family, for the recovery of his distressed fortune I may haply now leave to him (which is more antient than great)."

<sup>3</sup> "I desire him (*i.e.* his son) to forget to live, before he forget my principles in this matter . . . and if so he does, I trust God he shall reap in joy what I have sown in tears and sufferings, when God shall return that race to their antient antiquity."

marrying (his second son was not then born), he desired his eldest daughter, Henrietta, to marry his brother's son William, and failing him William's brother James. Burnet had then other four daughters, and after the making of this will he had another son and daughter. His children were :—

1. William, who succeeded him.
2. Walter, who entered the army and became a lieutenant and was killed in the wars in Flanders.
3. Henrietta, who married John Stewart, Writer to the Signet, Edinburgh.
4. Christian, who married (1) Rev. William McGhie, minister at Aberlady, and (2) Rev. Robert Cheyne, leaving issue by both.
5. Agnes, who died before 1675.
6. Marie, who married Rev. Andrew Naughton, and left issue.
7. Margaret, who died before 1675.
8. Anna, who married — Mitchelson of Middleton, and died before 1699.

CAPTAIN WILLIAM BURNET OF BARNS, the eldest son, was served heir to his mother on 24th June, 1675, and to his father not until 15th January, 1686. His father intended him for the law, and in April, 1669, apprenticed him to Archibald Nisbet, W.S., but he preferred a military life, and joined the army on the Continent. He attached himself later to the Earl of Mar's Scottish Fusilier Regiment (known then as the Earl of Mar's Gray Brecks) as a Lieutenant, and during his military service received the freedom of some of the towns in which he was stationed, viz. :—Dumfries, 7th May, 1679; Jedburgh, 21st April, 1681; Dumbarton, 16th May, 1681, when he is called Lieutenant in Captain Douglas' Company; Ayr, 29th December, 1683; and Musselburgh, 12th July, 1686, before which time he had become Captain. He was also made a burghess of Peebles on 3rd April, 1674.

He made great efforts to clear off the burdens on the property of Barns, the whole of which was mortgaged in the hands of Robert Burnet, Commissary of Peebles, the son of his grand-uncle Gavin, who, as formerly mentioned, disposed his right to Lord Prestonhall. With that end in view he entered into arrangement with his cousin, Captain James Burnet, skipper in Leith. The latter bought over the wadset from Lord Prestonhall for 25,000 merks, and then gave a back-bond to Captain William to secure his interest therein. This was in 1681, and Captain William, having gone to Flanders with his regiment, left his affairs in charge of his cousin. Before his return in October, 1690, Captain James was dead, and he then entered into negotiation for the saving of the estates with his other cousin, William Burnet, the elder brother of Captain James, who was the next heir male, and disposed them to him on 3rd February, 1691, in the event of his not returning from his military service abroad. There is an instrument, dated 15th May, 1691, of the consignment by Captain William Burnet of Barns of the sum of £16,666 13s. 4d. for the redemption of the lands made within the old church of Edinburgh at the place where the Earl

of Murray's tomb is situated. Captain William then went to the wars in Flanders, and did not return. He was wounded at the battle of Steinkirk on 24th July, 1692, of the effects of which he ultimately died at Brussels in the following November. He was unmarried. His will was made at Brussels on 22nd October, in which he made provision for his only son, Robert,<sup>1</sup> and his mother, Jean Blair.

WILLIAM BURNET OF KAILZIE AND BARNS, his cousin german, was his successor both as heir male and in right of the disposition of the lands to him in 1691. He succeeded to Kailzie in 1659 on the death of his father John. He married Jean Chancellor, daughter of Robert Chancellor of Shieldhill (contract dated 11th and 17th December, 1663), but he does not seem to have had any children by her. She died before 1684, when he married as his second wife Jean Baillie (p. 597), the widow of John Murray of Glenrath, who was the mother of his children.

According to the disposition of 1691, already referred to, the estate of Barns was destined by Captain William Burnet to William Burnet in Glenrath, his cousin german, and the heirs male of his body, whom failing to Alexander Burnet, his cousin german, and the heirs male of his body, whom failing to Alexander Burnet of Carlops and the heirs male of his body. When on the death of his cousin it fell to William Burnet to take possession, he appears to have anticipated some opposition from the former's three surviving sisters, and he was advised to get possession of the key of the house of Barns from Janet Burnet, who dwelt in one of the office houses, and to take some friends with him, kindle a fire in Barns and lodge in it all night, and then to lock the door and give the said Janet the key, empowering her to keep possession during his pleasure.<sup>2</sup> He was also advised to take possession of the deeds and make an inventory of the stock. He managed in the course of time to get the lands released from their mortgaged condition. He lived at Glenrath, which he leased in 1685, for some time after his marriage to Jean Baillie,<sup>3</sup> but came to Barns later, and on 26th March, 1708, he appeared personally at Neidpath Castle and resigned Glenrath in the hands of Jean, Countess of March, as tutrix of William, Earl of March, her son. William Burnet died in 1712. His children were:—

1. James, who succeeded him.
2. John, who was for some time in Glenrath and Castlehill. He married in 1720 Lilia Russell, daughter of William Russell of Ashiestiel, and had two daughters, Elizabeth and Jean, the former of whom married in 1747 James Robertson in Currie.
3. Janet, who was born in 1684, but apparently died in infancy.
4. Helen, who married in 1712 Robert Chisholm, collector of cess for Peebles.
5. Christian, who married Walter Stevenson in Kailzie.

<sup>1</sup> Robert was apprenticed to Robert Linton, tailor in Town of Manor, on 8th April, 1704.

<sup>2</sup> John Deans was at this time tenant in Barns.

<sup>3</sup> She died in 1717.



JAMES BURNET OF BARNS was baptised on 27th September, 1685, and was served heir to his father on 23rd March, 1714. On 27th February of that year he was infeft in the lands of Barns and others on a charter and precept of *clare constat* from Charles, Earl of Traquair, dated 19th December, 1713. He was ambitious to improve and increase the estate, and purchased on 25th January, 1729, Glenrath, both Easter and Wester, from the Earl of March, along with Castlehill, Hallmanor, Harehope, the Mill of Manor and Welshhouses, etc., for £31,433 17s., and his charter of these lands is dated 12th February, 1729.<sup>1</sup> He built a kiln and mill at the Kirkton in 1718, but the burgh of Peebles interdicted him, under a penalty of £1000 Scots, from laying any cauld in the Water of Manor for carrying the water to his dam. However, quietly getting all things in readiness, he invited some friends one night, and setting the mill in motion, ground some flour which was baked and eaten, and next morning claimed, according to Scots law, that it was a "gaun mill" (going mill).<sup>2</sup> Later, in 1756, he had some trouble about his mill lade with Walter Laidlaw of Hundleshope, then in Hallyards, and it ended in Barns buying from Hallyards for £17 1s. 3d. stg., an acre and half a rood of land lying on each side of the Manor Water, bounded on the north by the "Font Stone" and on the west by the march of Nether Glack, and also another piece in the form of a triangle. He also acquired from Laidlaw in 1768, five acres three roods and seventeen falls of the farm of Bellanridge for £27 10s. stg. for the purpose of straightening his marches there. For the same purpose in respect of Bonnington he had negotiations with John Hay of Haystoun in 1749. Hay wrote to Burnet complaining that the latter's tenant there was encroaching, and claiming the haugh upon the south side of Haystoun burn above the Whitehaugh march, where the burn was always the march, and also objecting to his cutting down the best of the timber upon the burn without recognising the right of the other proprietors. Nothing definite, however, seems to have been done in the matter until 1751, when Mr. James Montgomery, then Sheriff-Depute of Peeblesshire, fixed the boundaries in an arbitration between James Burnet of Barns, John Hay of Haystoun, and James Naesmyth of Earlsbaugh. Of the lands of Bonnington, two-thirds belonged to Burnet and one-third to Hay and Naesmyth, and the marches were fixed by stones (vol. ii. pp. 364 and 367).

This laird lived through the "Jacobite risings" of 1715 and 1745, and as his sympathies were with the Jacobites his position was somewhat ticklish, but he managed to keep clear of active participation, though Burnet of Carlops was implicated in 1715, and Captain John

<sup>1</sup> A note enclosed with the deed states that £39,842 7s. 8d. Scots was paid to the Earl for the lands of Glenrath and others, £1200 for taking a charter and other incident charges, and £630 to the Countess of March for a gown, amounting in all to £41,672 7s. 8d. For part of the price he granted bonds.

<sup>2</sup> A similar incident is mentioned in the *History of the Haigs of Bemersyde* (p. 340).

Burnet of Campfield<sup>1</sup> served in the Prince's army in 1745, and was captured in Carlisle. In the 1715 rising there was a company called "Barns' Company," which comprised twelve men from Megget, including John Laidlaw in Sheilhope, five men from Barns, five men from Hundleshope, and eleven men from Dawyck, including William Laidlaw there, but what the object of the company was does not appear. James Burnet during his lifetime evinced great interest in the fortunes of the Stuart family, and had correspondents who kept him informed as far as they could of the course of events.

Lead ore was found in Manor in the beginning of the eighteenth century, and it was said to be of a "quality to produce both lead and silver." James Burnet eagerly set himself to develop the minerals in his lands, and so hopeful were the prospects that Alexander Murray, younger of Stanhope, took a lease from him on 18th December, 1721, of all the minerals, except coal and limestone, within any of Burnet's lands in the parishes of Manor or Peebles for forty-five periods of nineteen years each, paying for the same one-tenth of what was found. The workings went on till at least 1745, when a proposal was made for the examination of the situation from a commercial point of view by Captain Thin from London. The venture did not prove successful.

James Burnet married (contract dated 22nd April, 1725) Anne, second daughter of John Veitch of Dawyck by Margaret Nisbet of the family of Ladykirk in Berwickshire, and by her, who died in October, 1773, he had fourteen children, of whom at least six died in childhood. Of those who survived :—

Margaret, born in 1726, married her cousin, James Murray, surgeon, Edinburgh (of the Touchadam family, his mother being Christian Veitch, her mother's sister).

Agnes (1730-1780).

Jean (1734-1771).

Violet (1736-1805).

James, born 28th October, 1737, succeeded his father in Barns.

William (1740-1783).

Charles, born in 1745, became a merchant in Cadiz, and died at Fort Marlborough on 31st January, 1777, on his way to Bengal.

James Burnet died in January, 1771, in his 86th year.

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<sup>1</sup> What connection he was has not been ascertained. When the Highlanders passed through the district they carried off a horse and cart belonging to Barns—that was all they could find—who applied to his kinsman to have them restored. The latter replied from Drumelzier manse that the horse would be returned if found, and that he would make good the loss. When he was imprisoned he wrote from London for certificates "from any creditable people that I showed lenity to the King's subjects, quhilk will much strengthen my defence." In reference to this appeal, James Burnet procured and sent a certificate signed by Thomas Tweedie, tenant in Kingledoors, and Andrew Murderson in Drumelzier.

JAMES BURNET OF BARNs, his eldest son, succeeded when about thirty-four years of age, and he married (contract dated 27th July, 1775) Janet, second daughter of John Moir, an Edinburgh merchant, her mother being Clementina Gellatly. He was educated for the Bar, and was apprenticed in 1756 to David Anderson, W.S., Edinburgh, but did not pursue this line, as he preferred a country life, and is said to have lived at Bonnington prior to his succession to Barns. He cherished a romantic attachment to the doomed cause of the Stuarts, and would not accept any position under Government requiring of him the oath of abjuration. Had he modified his political views and followed his profession, it is not unlikely that his descendants would still be in Barns. When he came to the estate, probably for securing his title the better to it, he granted a wadset of it in 1771 to Samuel Mitchelson of Middleton, who adjudged it in the following year, and on 12th October, 1772, a charter of adjudication thereof was granted by Charles, Earl of Traquair, to James Burnet, who thereupon took sasine. He was made a burghess of Jedburgh in 1775. In or about 1773 he began building a new home—the present mansion house of Barns—a little nearer to the Tweed than the old baronial keep,<sup>1</sup> and there he lived a somewhat retired life. His tastes were literary, and he was an accomplished classical scholar. He effected an excambion with Sir James Naesmyth of Posso in 1781, by which some improvement was made on their boundaries at Glack and Caverhill. In 1810, suffering from an affection of the eyes which ultimately ended in blindness, he leased the estate (reserving the mansion house, policies, and the home farm of Haswellsykes) to his eldest son James, who was to pay him £1000 yearly. But in 1815, having become involved through acting as cautioner for friends, he appointed his son factor to manage his affairs, and in 1816 disposed the estate to him. He died at Barns on 19th November, 1820, his wife having predeceased him. Their children were:—

1. James, born 16th May, 1776. He succeeded to Barns.
2. Clementina, born 5th December, 1777, died at Dalkeith on 25th April, 1866.
3. Anne, born 7th August, 1779, died at Dalkeith on 11th December, 1857.
4. Janet, born 16th March, 1781, died at Dalkeith 3rd March, 1847.
5. John (Johan), a daughter, born 24th June, 1783, married in 1814 George Gardiner, Comptroller of H.M. Customs in Scotland, and had issue. She died at London 12th May, 1866.
6. Violet, born 6th November, 1784, married in 1808 Dr. Thomas Young of Rosetta (vol. ii. p. 318), near Peebles, who had served

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<sup>1</sup> There is a discharge, dated at Jedburgh 3rd May, 1781, by the heirs of the deceased Bailie James Winter to James Burnet of Barns for £33 15s. sterling for Bailie Winter's trouble in superintending the erection of his new house and offices.

with distinction in America, the West Indies, Egypt, etc., and became Inspector-General of H.M. Military Hospitals. He died on 6th February, 1836, without issue, and his wife died at Rosetta on 1st June, 1867.

7. William, born 28th May, 1788, was a merchant in the Brazils and later at Leith. He went to Australia, and was for a time Colonial Secretary of the Swan River Settlement (Western Australia), but afterwards settled in New South Wales. He married Marjory, eldest daughter and heiress of — Brown of Newton, Lanarkshire, and died in 1858. They had several children:—

(a) James Charles, F.R.G.S., of the Surveyor-General's Department. In appreciation of his services a large river traced by him in the north of Australia, and also the large pastoral district which now bears the name of the "Burnett," were named after him. He died unmarried on 18th July, 1854, in his 39th year.

(b) John Alexander, became a merchant in Melbourne, married Margaret McDonnell, and died at his residence, St. Kilda, there, on 25th May, 1853, in his 36th year. Their children were:—

(1) Charles John, Major, 15th Regiment, who married first, Margaret Eleanor Watson, and secondly, Eliza Agnes Martin Watson, and died in 1915, a K.C.B. with the rank of General, leaving issue; (2) William, who married in 1870 Elizabeth, only child of Alexander Alexander of Hawke's Bay, New Zealand, and died in 1923, leaving issue; (3) Marjory, who died young; (4) James, who married Minna White, youngest daughter of Charles Ibbotson, and died about 1890; (5) Abigail Brown, who died young; (6) Lillias, who married in 1873 Frank de Crez McCracken, and has issue.

(c) Marjory, died young.

(d) William, of Burnetland in the Hunter district, New South Wales.

(e) Patrick Graham, in Australia.

8. Christian, born 19th June, 1790, died at Dalkeith 16th May, 1866.

JAMES BURNET OF BARNS succeeded on his father's death. He held a commission as Captain in the Dumfriesshire Regiment of Militia from John, Earl of Galloway, Lord-Lieutenant of Wigtownshire, from 1792 until it was disbanded in 1802. He engaged in commercial business in Greenock in company with Archibald Campbell, but the partnership was dissolved in 1809, the failing health of his father requiring his return home. During the remainder of his father's lifetime he lived with his family at Caverhill. While in Greenock he married there (contract dated 25th April, 1803) Christian Catherine Lee, youngest daughter of Robert Lee, merchant. On receiving the estate from his father he devoted himself to its development, reclaiming and draining waste ground, making extensive plantations, and setting an example which was largely copied by other proprietors. He introduced the short-horned breed of cattle in the district, and



planted more than two-thirds of the whole wood in the parish. His farm of Haswellsykes, which he kept in his own hands, was stated in 1834 to be "the finest model of agricultural management which is to be seen in the county."<sup>1</sup> To his efforts also was mainly due the erection in 1827 of the Episcopal Church in Peebles. In 1826 the Earl of Wemyss and March appointed him a Deputy-Lieutenant for the county.

His improvements on the estate proved more costly than remunerative. At the close of the Napoleonic wars there was, as there is at the present day after the Great War, a reaction. There was a decline, as there is now, in the value of agricultural produce, and with no capital from other sources behind him to enable him to surmount his difficulties, James Burnet of Barns, like so many landlords to-day, was forced to sell his lands and to leave the home of his ancestors for ever. Bonnington and Woodgrevington (vol. ii. p. 367) he sold in 1824 to Sir John Hay of Haystoun for £12,000, and in 1838 his creditors forced the sale of the remainder; the lower part or Barns proper, including Haswellsykes, Caverhill, Kirkton, etc., was acquired for £27,500 by William Alexander Forrester, a son of George Forrester, some time Surveyor-General of the Customs for Scotland, and a descendant of Robert Forrester, provost of Peebles in 1700; and the upper part, including Glenrath, Hallmanor, Castlehill, Wellbush, etc., was sold to Thomas Tweedie of Quarter. After the sale of the estate Burnet went to Ayrshire and lived at Mayville, near Stevenston, where he died on 20th June, 1855. He was buried at Manor. His wife died on 21st February, 1855. Their children were:—

1. James, born 2nd February, 1804, became a W.S., and died unmarried at Georgetown, Demerara, on 6th December, 1836.

2. Robert Lee, born 23rd March, 1805. He entered the service of the East India Company, was Captain in the 54th Regiment of Bengal Native Infantry and saw a good deal of service. He was wounded at Jugdullock on 18th October, 1842, and this ultimately caused his death, which took place at Ferozepore on 29th January following.

3. Christian Catherine, born 4th July, 1806, died unmarried 15th April, 1875.

4. Janet Anne Elizabeth, born 6th September, 1807, married in 1839 the Rev. James Cruickshank, minister of Manor, and died 16th June, 1877, leaving issue.

5. William, born 4th January, 1810, became Lieutenant-Colonel in the Militia of British Guiana; married in 1843 Elizabeth, second daughter of Charles Wilday, Colonial Registrar and Secretary of the Supreme Courts of Justice of British Guiana; and died in 1884. His children were:—

- (a) Maitland James, the only son, born in 1844. He settled in London, but afterwards went to the Continent, and died at Rome on 15th September, 1919. He married in 1913 Elodie

<sup>1</sup> *Second Statistical Account.*

Mary Van Waes, who survived him. He was the last direct male representative of the line, although there are collaterals still alive. His remains were cremated and brought to Manor for burial.

(b) Kate Egan Fullerton.

(c) Violet Anna D'Urban, who married in 1873 John Ogilvie of Inshewan, Forfarshire, and died in 1925, leaving issue—a son, John Donald Burnet Ogilvie.

(d) Edith Carmichael Smythe, who married in August, 1878, Thomas Henderson Orphoot, advocate, Sheriff-Substitute of Peeblesshire, and died in 1910, survived by her husband (who died in 1917) and two children—(1) Burnett Napier Henderson, an architect in Edinburgh. He designed the Peeblesshire War Memorial which stands in the quadrangle of the Chambers Institution, Peebles (vol. ii. p. 150), one of the most striking and beautiful memorials in Scotland. He contributed the chapter on Architecture to this history (vol. ii. p. 225). (2) Elizabeth Joan Naesmyth.

(e) Annie Elizabeth Boyd, who married on 15th July, 1880, William Anderson, M.D., of Hallyards, Manor, and Richmond, Surrey. He died in 1901. There is a family of two daughters—Muriel, married to John Carlyle Fergusson, I.C.S.; and Irene, married to Colonel John Charles Harper, D.S.O., K.S.L.I.

6. John Hamilton, born 10th February, 1811, who entered the service of the East India Company and became Captain in the 16th Bengal Native Infantry, and after seeing considerable service, during which he was promoted to the rank of Brigade-Major, was killed at the battle of Ferozeshah on 21st December, 1845.

7. Eleanor Stuart, born 23rd July, 1812, died unmarried on 18th April, 1870.

8. Thomas Young Crichton, born 12th September, 1813, became a merchant in Trinidad in the West Indies, and perished at sea on 3rd January, 1852, in the steamer *Amazon*, which was burnt in the Bay of Biscay.

9. Montgomery, born 16th October, 1814, was also a merchant in Trinidad, and married in December, 1858, Maraval Georgiana, second daughter of the Hon. Henry Fuller, Attorney-General there. He published for private circulation in 1882 a genealogical account of the Burnet family.

10. Archibald Campbell, born 17th August, 1817, became a merchant at Demerara, but returning home, died in Ayrshire on 24th January, 1868.

11. Fullarton Cunningham, born 5th June, 1822, went to the United States of America and married Mary Caroline Larkins, by whom he had three children—John Stewart, Lynn Hall, and Christian Catherine Lee. He died at Lillington, Pender County, North Carolina, on 14th February, 1876.

## VI

## MANORHEAD

This large sheep farm lies at the south end of the parish, and includes the source of the Manor Water and its higher tributaries, the chief of which is the Ugly Grain Burn. It lies high, rising from about 1000 feet to the summit of Dollar Law (2680)<sup>1</sup> on the west, to the shoulders of Black Law (2285) on the east, and to the Bitch Craig, the watershed (2000) on the south between Manor and Megget. Lonely, quiet, and peaceful it is the home of sheep and calling curlews.

The early history of this property has already been referred to. It was contained in the grant to Adam Marshall in 1315 (p. 549), and included at that time the lands of Dollarburn, which afterwards became part of Posso. Thereafter it belonged to the Inglises of Manor (p. 551), and later to a branch of that family. Thomas Inglis of Manorhead sold it in 1709 to Alexander Horsburgh of that ilk, whose family (vol. ii. p. 397) are still in possession. The present proprietrix is Lady Agnes Adinston Horsburgh Porter.

The present rental is £331 1s. 6d.

## POSSO

This estate, three times larger than Manorhead, adjoins it on the north, and extends northwards on both sides of the Manor Water for a distance of three and a half miles. On the west its boundary, which is also the boundary of the parish, extends from Dollar Law across the top of Long Grain Knowe (2306) and Pykestone (2414) to Scrape (2347), which overlooks the estate of Dawyck (p. 434), called for a time New Posso. On the north the boundary is Hallmanor and Glenrath, and on the east also Glenrath,

<sup>1</sup> "A facetious old herd," says Armstrong, "gave me this strange etymology: that the country folks, in pursuit of some English depredators, overtook them on Dollar law; and being defeated, were heard to moan their hapless fate, 'Dool for ever mair.'" It was popularly called Dolefu' Law.

the boundary there rising to the Blackhouse Heights (2214). On the property is the site of the fortalice now known as St. Gorgon's Chapel, near to the Kirkhope or Newholm burn, and at the north end is the Wood Hill.

The story of this property is the story of the Baird and Naesmyth families (p. 560). Before that, there is little to guide us. It is not unlikely that John of Baddeby, who swore fealty in 1296 to King Edward, held the whole of Manor, including Posso, but the later charters to Adam Marshall and Alexander Baddeby were each of one half of the barony of Manor, and Posso<sup>1</sup> cannot be traced as forming a part of either half. The charter to Adam Marshall before quoted (p. 549), although it is full of strange words, does show that his half included Manorhead or the "Hope of Menars," and also land at the north end of the parish, including Caverhill and the Glack. No description is extant of the other half, which belonged to Baddeby, but, judging from the later descriptions of the half shares held by the families of Inglis and Lowis, it is possible to say with some assurance that while Caverhill and the Glack were part of the barony, Posso had become a separate holding. Perhaps it was royal demesne after the War of Independence until the grant by Robert III. to Thomas Baird, before mentioned (p. 559).

That grant included Posso, Langhaugh, and Kirkhope, and these, with the exception of Langhaugh, which has recently been sold to Mr. James Linton, still form the estate of Posso in Manor. The grant also included Glenrath, Caverhill, and half of Glack. Caverhill and Glack (p. 614) must have been disposed of soon afterwards, but the rest of the property, including the superiority of Over Glenrath, was erected into a separate barony, and remained with the Baird family till the death of John Baird prior to 1526, when it was divided between his two daughters, Elizabeth and Janet. The former married Michael Naesmyth, and her share went to her husband. The latter, who married William Geddes, sold her share to the Hays of Smithfield, from whom it was purchased by James Naesmyth in 1617 (p. 565).

In 1555 Michael Naesmyth added to his half the lands of Dollarburn<sup>2</sup> and Dogflat<sup>3</sup> by purchase from John Moscrop, advocate, who had them from Sir Alexander Dick, Archdeacon of Glasgow. These lands Dick had purchased in 1548 from John Lowis of Manor, of whose share of the barony they formed a part. In part of these

<sup>1</sup> *i.e.* Posso itself, with Kirkhope, Langhaugh, and Over Glenrath.

<sup>2</sup> Not far from Dollarburn is a cairn erected to the memory of Professor Veitch (vol. i. p. 206), who described the valley as "the sweetest vale in all the south."

<sup>3</sup> This name is not now known in the parish. Doubtless it adjoined Dollarburn, which lies at the foot of Dollar Law between Manorhead and the Langhope burn.





HALLMANOR



GLETERNIE



lands there were vassals—the Burnets of Barns and the Patersons of Caverhill. William Burnet had a fourth from John Lowis by charters in 1545 and 1549, and the grant was confirmed on 10th July, 1565,<sup>1</sup> by Michael Naesmyth as superior, who also gave sasine in 1579 to Burnet's son William. Thomas Paterson had also a fourth from Michael Naesmyth in 1568. His son, James Paterson, on 31st July, 1578, requested Naesmyth at Dollarburn to give him sasine as his superior, but Naesmyth refused unless security was given for delivery of the sasine ox—apparently a perquisite of the superiority. Paterson demurred on the pretext that the ground was only valued about 5s. 3d. However, he offered James Dickson as cautioner, if the law or good conscience permitted such a demand, and declared that he would procure letters from Chancery to force Naesmyth to give him infeftment.<sup>2</sup> Dollarburn and Dogflat<sup>3</sup> are referred to again in June, 1629, when James Naesmyth of Posso took action in the Burgh Court of Peebles against John Lowis of Manor to compel him to implement the conditions of the sale to his grandfather, and complained that Lowis was keeping back some of the writs, especially the charter defining the marches between Dollarburn and Manorhead.<sup>4</sup> From the reference in the Court Books it is evident that the action was also concerned with other lands which Naesmyth had purchased from Lowis, and although no particulars are given, it would appear, judging from later descriptions, that these formed a part of Woodhouse.

The present proprietor of Posso is Sir Douglas Arthur Bradley Naesmyth, Baronet, and of Langhaugh, Mr. James Linton.

The present rental (including Langhaugh) is £953 3s.

#### HALLMANOR, GLENRATH, Etc.

This property lies on both sides of the Manor Water for a distance of almost two miles, and extends in width to over four miles. It is bounded on the south by Posso, on the west by the estate of Dawyck, the boundary running along the watershed from the summit of Scrape (2347) to Breach Law (1884), Huntlaw (1591), and across the drove road at the Deid Wife's Grave; on the north by

<sup>1</sup> Barns Papers. The charter is dated at Posso, and the seal of the granter is still attached, showing two stars in chief, a mullet in the centre, and a cinquefoil in base.

<sup>2</sup> Barns Papers.

<sup>3</sup> The sub-feus to Burnet and Paterson must have been acquired later by the Naesmyths, but the transactions have not been traced.

<sup>4</sup> Burgh Court Books.

Woodhouse on the left side of Manor Water, and by Hundleshope on the right side, the boundary then running between the Glenrath and Hundleshope burns to the Glenrath Heights (2382). It comprises the following lands, which will be separately referred to :—(1) Hallmanor (including Harehope and the mill of Manor); (2) Castlehill; (3) Hallmeadow and Horswaird; (4) Welshhouses; (5) Town of Manor; (6) Glenrath.

#### (1) HALLMANOR

These lands <sup>1</sup> were part of the barony of Manor, and belonged to the Lowis family (p. 555). They lie on the west side of Manor Water, and through them flows the Hallmanor burn, which rises on the shoulders of Scrape. In the early part of the sixteenth century they gave a designation to Alexander Baird of "Halmenner," who was kin to the Bairds of Posso, and was doubtless a sub-vassal of Lowis of Manor. He was dead in 1556, and his son James in that year made an agreement with James Tweedie in Fruid about the Kirklands of Stobo (p. 507).

Hallmanor remained a Lowis property till 1629, when it was sold, along with Harehope and the mill of Manor, by John Lowis to Malcolm Inglis of Manorhead.

Inglis in 1637, as we have seen (p. 554), sold the lands (including Harehope <sup>2</sup> and the mill of Manor) <sup>2</sup> for 13,200 merks to Alexander Veitch, his wife, and eldest son Alexander; and from them they passed to Sir John Veitch of Dawyck. He sold them on 14th September, 1672, to George Baillie, son of the deceased George Baillie of Jerviswood and Lillie Baillie, his spouse (a daughter of Christopher Baillie of Walston), and their three sons, Robert, George, and John. This sale included also the Mains of Castlehill of Manor, Hallmeadow, Horsewaird, and the lands of Welshhouses. The price for the whole was 20,000 merks. George Baillie thereupon obtained a Crown charter and took the designation "of Mennarhall." In 1695 he found himself obliged to wadset the lands to his brother, James Baillie, merchant in Edinburgh, for 15,000 merks.

James Baillie died without issue in 1699, and his heir was his nephew, Captain Robert Baillie of Manorhall (eldest son of the said George Baillie), who, along with Mary Clark, his spouse, disposed the lands in 1703 to William, first Earl of March (vol. ii. p. 306).

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<sup>1</sup> The name in early writs is sometimes given as Hal of Manor or the "Haill Manner."

<sup>2</sup> These have since remained part of Hallmanor. The precise situation of Harehope is not known.



## (2) CASTLEHILL

This included the ground in the vicinity of the old castle, the ruins of which still stand beside Manor Water. The castle was the early home of the Lowis family, and that part of their possessions was known as the Mains of Castlehill. Like Hallmanor, this property was a part of the half barony granted to the Lowises. In 1637 John Lowis sold it, along with Welshhouses and the superiorities of Hallmeadow and Horswaird, to the Veitches (p. 559) for 10,000 merks, after which it shares the story of Hallmanor.

## (3) HALLMEADOW AND HORSWAIRD

These names are not known now, but the lands—40s. of old extent—adjoined Castlehill. They were also part of the Lowis half barony. In 1549 John Lowis of Manor wadset them for 160 merks to Mr. Martin Lowis, younger, from whose son John he had letters of reversion.<sup>1</sup> But a few months afterwards he sold the lands themselves to Robert Scott of Heathpool (vol. ii. p. 329), afterwards of Bonnington, in liferent, and Adam, his son, in fee. Thomas Paterson of Caverhill in 1564-5 appears to have acquired some rights therein, but they could only have been of a temporary nature, and Simon Scott of Bonnington (son of Adam) was owner in 1594, and is referred to as such in the sasine of the half barony of Manor to Thomas Lowis (p. 558). In 1597 William Burnet of Barns (the "Hoolet") acquired one-third from Simon's son, Adam Scott, in the Newhouse; the remainder was appraised from Simon by Robert Trotter, merchant in Edinburgh, who in 1627 assigned his right to William Burnet. In the sale of 1637 by John Lowis to the Veitches the lands are included by name, but in view of these transmissions he could not have held more than a superiority. In the rental of the Barns estate in 1617, Hallmeadow and Horswaird are entered as yielding 80 merks yearly, with 12 kain fowls and 12 carriages.

## (4) WELSHHOUSES

This property, lying near Castlehill, is now known as Wellbush. It was originally a part of the barony of Hundleshope (p. 598), but was acquired by the Lowises early in the sixteenth century. In 1606 John Lowis of Manor was served heir in Welshhouses to his great-grandfather of the same name.<sup>2</sup> It passed, like Castlehill, in 1637 to the Veitches, and after that shares the story of Hallmanor.

## (5) TOWN OF MANOR

This small property—Mannertoun as marked in Armstrong's map—lay north-west of Castlehill, and in early times was apparently a part

<sup>1</sup> Barns Papers.

<sup>2</sup> *Peebles Retours*, No. 30.

of the half barony which belonged to the Inglises. William Burnet of Barns acquired the superiority in 1600 by his purchase from James Pringle, and at that time the property right was held by William Lowis, merchant in Peebles (p. 575), who in 1602 resigned the lands to Burnet and received a new grant. Thereafter the lands reverted to the Burnets, but the connecting link has not been traced. The rental in 1687 was 180 merks, with 6 kain fowls and 6 carriages of "faile" (turf).

#### (6) GLENRATH

Glenrath, when it first comes into notice, was in two parts—Over and Nether or Easter and Wester Glenrath. It is included in the grant to Thomas Baird of Posso (p. 559) by King Robert III., but from subsequent references it appears that the Bairds and afterwards the Naesmyths of Posso never held more than the superiority of Over Glenrath, being that part of the lands which adjoined Posso. Nether Glenrath adjoined Hundleshope, and was originally a part of that barony.

In 1478 and 1479, Matthew Glendunwyn of Glenrath served on juries for retouring heirs to Yester<sup>1</sup> and Kailzie, and he may have possessed the whole.

In 1533 William Veitch of Dawyck became proprietor of lands in Glenrath, receiving a gift of them from the Crown, to whom they had been appraised on 3rd June, 1522.<sup>2</sup> This grant was evidently only of the over half, as on 5th April, 1553, Elizabeth Baird, as "principal superior," infeft William Veitch therein as heir to his grandfather, William Veitch of Dawyck. William Veitch was again infeft in 1564, and it was then stated that the lands had been wadset to his grandfather for 400 merks.<sup>3</sup> In 1672 Sir John Veitch of Dawyck was served heir to the first-named William Veitch, his "foir granschir" (grandfather's grandfather), in Glenrath and Horshoprig,<sup>4</sup> but Sir Michael Naesmyth of Posso refused to infeft him, and a precept had to be obtained from the Crown to compel him.<sup>5</sup> The year following, James Naesmyth of Posso sold the superiority to John Murray, and in 1698 the property and superiority of Over Glenrath were in the possession of William, Earl of March.

As for Nether Glenrath, there were portioners there. In 1561 Janet Dickson had one portion, and styled herself "lady portioner of Glenrath." She married William Tait in Fairnilee, and was also a portioner of the lands of Glenkirk and Whitslade (p. 292). She had only a quarter of Nether Glenrath, and of this, with consent of her

<sup>1</sup> *Yester Writs.*

<sup>2</sup> *Reg. Privy Seal.*

<sup>3</sup> *Peebles Protocols.*

<sup>4</sup> *Sheriff Court Books.*

<sup>5</sup> *Barns Papers.*

husband, she made resignation on 22nd June, 1563, to John Gledstanes of Cocklaw, as baron of Hundleshope and her superior, in favour of Thomas Tait, her son and heir, and John Wightman, burgess of Peebles. Thomas Tait then made over his right to Wightman, this transaction and some others<sup>1</sup> taking place in the tower of Glenrath. Another fourth part of Nether Glenrath, together with another part called Cosserlands, belonged for a time to John Philip, and in it James Scott, second son of Walter Scott of Tushielaw, received sasine on 1st May, 1618.<sup>2</sup> James was succeeded by his son Walter Scott in 1627.

This Walter Scott acquired the rest of Nether Glenrath, and also a part of Easter or Over Glenrath—the transactions have not been traced—and in 1631 John Scott of Hundleshope, as his superior, granted a precept of *clare constat* for his infetment in the two and a half merk land of Easter Glenrath, the fourth of Nether Glenrath formerly belonging to the deceased John Wightman, the fourth which formerly belonged to John Philip, and also that part commonly called Cosserlands. Five years later he disposed these to John Veitch, fiar of Dawyck, for 10,000 merks.<sup>3</sup> Two years later Bessie and Margaret Scott, daughters of James Scott of Glenrath, and married respectively to George and Thomas Geddes, brothers of James Geddes of Kirkurd, renounced all claim they might have as sisters of the deceased Walter Scott of Glenrath, their brother, to the above 10,000 merks due to him by Sir John Veitch of Dawyck as the price of the lands of Glenrath. This renunciation was in favour of their brother, William Scott, who was Walter's heir.<sup>4</sup> In the Manor rental of 1649 Glenrath is entered as for William Veitch of Dawyck's part (Over Glenrath), £53 6s. 8d., and Sir John Veitch of Dawyck's part (Nether Glenrath and part of Over Glenrath), £326 11s. 2d.<sup>5</sup> In February, 1666, Sir John Veitch acquired the superiority of Nether Glenrath from John Scott of Hundleshope.

Sir John Veitch, as we have seen, became William Veitch's heir in Over Glenrath in 1672, and accordingly became proprietor of the whole property. About this time he disposed Glenrath to John Murray, third son of Sir David Murray of Stanhope, who married in 1671 Jean Baillie, daughter of John Baillie of St. John's Kirk and Violet Riddell, receiving with her a tocher of 4500 merks.<sup>6</sup> John Murray died in June, 1674, leaving a son, David, and a daughter, Violet, and his widow married William Burnet of Kailzie, afterwards of Barns, who then transferred his residence to Glenrath. The boy David died before 1695, and Violet became heiress of Glenrath. She

<sup>1</sup> One of these was the infetting by the superior himself of Alexander Cranston, son of William Cranston of that ilk, in an annual rent of 50s. from the lands of Glenrath (*Peebles Protocols*), and this Alexander was designated as "of Glenrath" in the following year (Barns Papers).

<sup>2</sup> *Part. Reg. Sas.*

<sup>3</sup> Barns Papers.

<sup>4</sup> Burgh Court Books.

<sup>5</sup> Barns Papers.

<sup>6</sup> *Ibid.*

was served heir to her father in 1696, and sold Glenrath on 29th September, 1697, to William, Earl of March, for £14,682, who in the following year was infeft in it, both property and superiority.<sup>1</sup>

#### (7) THE WHOLE PROPERTY

We have now seen that by the beginning of the eighteenth century Hallmanor, Castlehill, the superiority of Hallmeadow and Horswaird, Welshhouses and Glenrath belonged to the Earl of March, while the Town of Manor and the property of Hallmeadow and Horswaird belonged to the Burnets. William, the second Earl of March, sold all his portions in 1729 to James Burnet of Barns for £31,433 17s. Scots, and the whole property thereafter remained with the Burnet family till 1838, when it was sold to Thomas Tweedie of Quarter (p. 286). The Tweedies held the estates till 1897, when Andrew Usher of Northfield (of Usher Hall fame in the City of Edinburgh) purchased it for £23,600.

The present rental of the property is £1105 9s. 9d.

#### HUNDLESHOPE

Hundleshope—the “hungry, hungry Hundleshope” of the old rhyme (vol. ii. p. 368)—now a hill farm, adjoins Glenrath on the north-east, and lies immediately to the south of the hill of Cademuir. Originally it was probably a part of the barony of Manor. The popular derivation of the word is *Hope of the Houndswell*. The lands in early time included not only what is known as Hundleshope, but also Nether Glenrath, Hallyards, Bellanridge, Milton, and Welshhouses.

In 1262 Archibald de “Hundwaluchishope” sat on the inquest at Peebles respecting the town’s right to the peat

<sup>1</sup> Barns Papers. The Earl of March in 1700 leased the lands to William Burnet of Barns, and he passed it on to John Burnet, his second son. John Burnet continued in the lands until about 1750. In 1758 the Laird of Barns leased Glenrath, Over and Nether, to James Murray, tenant in Stanhope, who put his eldest son William therein as tenant and betook himself to Drochil in Newlands. In 1785 they were leased to Walter Laidlaw, then in Chapelhope, and the Laidlaws were in Glenrath until 1829, when David Tweedie in East Mains of Lamington came in as tenant.



moss of Walthamshope<sup>1</sup> (vol. ii. p. 218). On 4th January, 1303-4, another inquest was held respecting the lands of Hundleshope themselves, when it was found that they had been held by the late William Melville<sup>2</sup> from Edward I. of England for the service of one archer in the King's army and suit at the courts in Peebles, that they were worth £12 11s. 2d., and that they were then in the possession of William of Dureme by a grant from the King, but that William "Maleville," son of the said William, was heir thereto.<sup>3</sup> The owner in 1357 was John "Trumble," who had then a charter from David II., which was said to include free ish and entry in the common pasture of Cademuir.

Trumble (*i.e.* Turnbull) had an only child, Margaret, who married Sir William Gledstanes<sup>4</sup> from East Lanarkshire (of the Gledstanes of Cocklaw).<sup>5</sup> Of this marriage there was a son, John, to whom his mother resigned Hundleshope, and this was confirmed by a charter from King Robert III.

For over two centuries the Gledstanes possessed Hundleshope, and many a fight they had with the burgh of Peebles over the pasturage rights on Cademuir (vol. ii. p. 220). In the beginning of the sixteenth century Hundleshope, along with other lands, including Woodgrevington, Welshhouses (now Wellbush), Mailingsland (vol. ii. p. 324), Milton, Hallyards, Nether Glenrath and some acres at the east end of the burgh of Peebles, was erected into a barony, called the barony of Hundleshope, and the baron bailie in 1562 was Thomas Lawson, who had his residence in Hundleshope.<sup>6</sup>

On 7th July, 1563, John Gledstanes of Cocklaw gave sasine to Margaret Lyle, his spouse.<sup>7</sup> He must have died shortly afterwards, for

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<sup>1</sup> Walthamshope, now Waddenshope, is separated from Hundleshope by the lands of Crookston, and it was the proprietor of these lands, Robert Cruik, whose action against the town had brought about the inquest.

<sup>2</sup> It was probably his family which gave their name to Mailingsland in the parish of Peebles (vol. ii. p. 324).

<sup>3</sup> Bain's *Calendar*.

<sup>4</sup> When King Robert III. granted the barony of Manor in 1396 to Sir William Inglis (p. 551) there was a reservation of the lands "possest by William Gladstanes, knight, in the said baronie and superioritie thereof" (Robertson's *Index*, p. 177, No. 18). This may be taken as showing that Hundleshope was considered part of the barony of Manor.

<sup>5</sup> They took their territorial name from an estate in Roxburghshire, and from them has been traced the lineage of the famous statesman, William Ewart Gladstone, whose father, John Gladstones, obtained in 1835 a royal license to drop the final letter in his name.

<sup>6</sup> *Peebles Protocols*.

<sup>7</sup> *Ibid*.

in 1568 Margaret Lyle was the wife of Alexander Lauder, and had a dispute with Thomas Burnet, who was the tenant of part of her life-rent lands of Hundleshope regarding the services due. The matter was referred to arbitration, and it was found on inquiry that the tenants were in use in the time of the late John Gledstane's father, grandfather and great-grandfather to carry a load of lime or a "caroche of ferme meill to Tevidail" yearly for each husband land as required, or to pay 18d. for each "caroche." Burnet was therefore held bound by this service, or to pay 18d. for each of two "caroches yearly."<sup>1</sup>

#### GLEDSTANES OF HUNDLESHOPE.



ARMS.—Argent, a savage head coupéd distilling drops of blood and thereon upon a bonnet composed of bay and holly leaves all ppr. within an orle of eight martlets sable.

CREST.—A Gryphon issuant holding a sword in her dexter talon.

MOTTO.—*Fide et Virtute.*

During the sixteenth century members of the Scott family were settled in Hundleshope as portioners. In 1562 John Gledstanes granted four husband lands to Thomas Scott, son of Robert Scott of Colifurd, on his marriage with Isabella Gledstanes, his daughter. These lands were disposed on 10th June, 1618, by Walter Scott (who may have been a son of Thomas) to Sir William Scott of Harden, and he was succeeded in 1642 and 1676 by his son and grandson of the same house. John Scott was another portioner referred to in 1565 and later, and another was James Scott,<sup>2</sup> referred to in 1596, the second son of Sir Walter Scott of Tushielaw.

<sup>1</sup> Barns Papers.

<sup>2</sup> He was before the Session in 1596 for the murder of William Tait. He produced letter of slains from the widow and dead man's relatives, and was thereafter ordained to make public appearance in the kirk in token of his repentance. His son Walter was in 1631 infeft as heir to his father in part of Nether Glenrath.

There is a charter of Hundleshope by James VI. on 24th February, 1614, to James Gledstanes, apparent heir of Cocklaw, and Beatrix Ker, his spouse, on the resignation of his father, James Gledstanes of Cocklaw.<sup>1</sup> James Gledstanes, the father, died shortly afterwards, and his son James and the latter's son Walter fell into debt. From them the lands were appraised by John Scott for 7825 merks and 390 merks sheriff's fee, and following on that he had a charter on 14th December, 1618, from James VI. of the lands of Hundleshope, which included also Acolmefield (Acrefield), Woodgrevington, commony and pasturage on Cademuir, some lands in Peebles, and the pendicles of Hundleshope called Mylnetoun and Mylnetoun Mill, Halyairdis (Hall-yards) and Merchdyke.<sup>2</sup>

## SCOTT OF HUNDLESHOPE



ARMS.—Or, on a bend Azure a mullet pierced, between 2 Crescents of the 1st, all within a bordure of the 2nd.

CREST.—A right hand issuing holding a lance all proper.

MOTTO.—*I am ready.*

This John Scott, who became baron of Hundleshope in place of the Gledstanes, may have been the son of John Scott, portioner of Hundleshope, before mentioned. It is said, however, that he was the second son of Sir Robert Scott of Eskdale, afterwards of Thirlstane, and he was certainly descended from that family. He married, before 1608, Christian Burnet, daughter of William Burnet of Barns, and received on 22nd December, 1608, from his father-in-law 2000 merks in part payment of her tocher. He died in 1619, survived by

<sup>1</sup> R.M.S. vii. No. 1011. Robert and James Gledstanes "in Menar" were excommunicated in 1599 for the murder of James Dickson, indweller in Peebles (*Session Records*).

<sup>2</sup> R.M.S. vii. No. 1944.

his wife (who afterwards married Alexander Horsburgh of that Ilk), leaving a young son, John, and two daughters—Margaret, who married in 1635 Alexander Veitch in Nether Horsburgh, afterwards of Manor (p. 559), and Isabel.

The son, John Scott,<sup>1</sup> on 10th August, 1625, made choice of his curators, there being summoned on the father's side Sir Robert Scott of Thirlstane (which clearly indicates a connection with that family) and William Scott in Glack (his father's brother), and on the mother's side several of the Burnets. It was from the latter that he chose his curators, which included his mother, and to them he added Sir John Stewart of Traquair.<sup>2</sup> His mother on 28th May, 1628, made a generous surrender in his favour of what she might claim for his education and maintenance since his father's death, and also of the sum of 600 merks yearly provided to her in her contract of marriage, subject to the condition that on reaching his twenty-first year he would grant to his elder sister, Margaret, a bond for 3000 merks as her tocher, and to Isabel, his younger sister, a bond for 2000 merks, paying to them yearly the interest thereof, and also that on his marriage he would infest his mother in the lands of Woodgrevington.<sup>3</sup> She granted also to her son on 22nd April, 1634, a tack for her lifetime of her liferent of the nine husband lands of Hundleshope and three cotlands thereof, which probably represented the portion of Hundleshope originally held by this branch of the Scott family.<sup>4</sup> In 1635 John Scott married Helen Geddes, sister of James Geddes of Rachan,<sup>5</sup> and in the following year, on his own resignation, had a Crown charter of Hundleshope to himself and his wife. A remarkable transaction took place on 22nd October, 1642, by which John Scott and his wife disposed the lands and barony of Hundleshope to John, Lord Linton, who was acting in this with consent of his father, John, Earl of Traquair, the arrangement being that the superiority of the lands of Nether Glenrath, Welshhouses, Wrae, Woodgrevington and four acres and three roods at the east end of the burgh of Peebles should belong to Lord Linton, and that the lands of Hundleshope, Milton and Hall-yards, with their pertinents, should be disposed back again to John Scott, to be held from Lord Linton. Following on this there was a sale in February, 1643, by John, Lord Linton, and John Scott of the lands of Woodgrevington to Mr. William Burnet of Barns for 3000

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<sup>1</sup> At the weaponshaw in 1627, it is stated that Thomas Scott of Hundleshope was absent, but six of his men were present, horsed, with two footmen, all with lances and swords. Thomas must be a mistake for John.

<sup>2</sup> Burgh Court Book.

<sup>3</sup> Barns Papers.

<sup>4</sup> Sheriff Court Books.

<sup>5</sup> *Reg. Deeds*. In connection with this marriage there was an action on 24th May, 1638, by Alexander Veitch in Nether Horsburgh against James Naesmyth of Posso, in which he alleged that Posso promised to pay 300 merks, and in the faith of this Veitch had paid 1000 merks. Posso denied the story and was assoilzied. (Sheriff Court Books.)



merks, to be held of Lord Linton;<sup>1</sup> but in 1655 Lord Linton, for certain sums of money, renounced this contract of 1642, except in reference to the lands of Nether Glenrath and Welshhouses.<sup>2</sup>

John Scott, like his predecessors the Gledstanes, fought with the burgh of Peebles over the Cademuir pastures (vol. ii. pp. 227-231), and in 1655, with the view of settling the disputes, he sold to the burgh a part of Hundleshope which included a strip of ground at the foot of Cademuir along the Hundleshope burn, and also ground alongside Manor Water in the vicinity of Milton and Hallyards. As this sale affected his wife's jointure lands, he granted to her the equivalent in value—the lands of Milton and two acres on the north side of the Manor Water, with an annuity from Hundleshope. On 10th November, 1656, John Scott was infert in his ruinous land in the Cunzieneuk of Peebles, which he then sold to William Hay, Sheriff-Clerk of Peebles.<sup>3</sup> He had a son, James, to whom on his marriage in 1666 to Rachel Murray, daughter of Sir David Murray of Stanhope, he granted the lands of Hundleshope, under reservation of his liferent. The lands were then designated Easter and Wester "Hundilishope," Hallzeards (Hallyards), with the tower house and lands of Milnetowne (Milton), with the mill, all erected into the barony of Hundleshope.<sup>4</sup> John Scott<sup>5</sup> died before 1675, and was succeeded by his son James.

James Scott of Hundleshope, or his father, sold the four acres and three roods of land lying near the east port of Peebles, as in 1677 they are mentioned as having been the property of Mr. Hew Ker, parson of Lyne, and now sold by his son Hew Ker to James Williamson of Hutcheonfield.<sup>6</sup> James Scott died about 1698, leaving three sons, John, David and Alexander. John evidently predeceased his father, and his brother David was served as heir in January, 1700.

David Scott of "Houndhillshope" became a Captain in H.M. Regiment of Foot Guards, and on 7th June, 1701, had a Crown charter to himself as heir of his brother John in the lands of Hundleshope, including Bellanridge, Milton with the mill and lands of Hallyards, all of which were erected into the barony of Hundleshope. He was still superior of Acrefield and of the acres at the east end of Peebles and granted charters of them as such in 1720 and 1722. In 1735 he

<sup>1</sup> Barns Papers.

<sup>2</sup> Burgh Papers.

<sup>3</sup> Burgh Sasines. The Cunzieneuk was at the corner of the Northgate and High Street.

<sup>4</sup> *Part. Reg. Sas.*

<sup>5</sup> A case of discipline is referred to in the Session Records in 1657. A man confessed that he was not the father of a certain child, though he had held it up for baptism sixteen years ago, receiving for so doing land worth 100 merks a year, for three years, and 60 hogs. The real delinquent was John Scott in Hundleshope, who was ordered "to make satisfaction," but this he refused to do in the usual habit and dress.

<sup>6</sup> *Part. Reg. Sas.*

disponed Hundleshope to his only son David, who had a Crown charter of them in 1741, in which year he married Elizabeth Gordon.

David Scott, the last of his name in Hundleshope, was a Jacobite and a friend and kinsman of John Murray of Broughton (p. 255). In the spring of 1744, when preparations were being made for the rising in the following year, Murray wrote to Scott from Edinburgh, sending the key of his private closet at Broughton House, and begging him to carry away and hide a strong-box which lay hid there. Scott acted at once, and the box with its secrets was removed, buried in the garden of Hundleshope, and cabbages planted over its resting-place.

#### LAILAW OF HUNDLESHOPE

David Scott and his wife, Elizabeth Gordon, in 1748<sup>1</sup> sold Hundleshope for 24,000 merks to Walter Laidlaw, tenant in Woolandslee, who in 1751 disponed them to his only son Walter, and he obtained a Crown charter of them in the following year. There was a dispute between him and the town council of Peebles about the marches between Hundleshope and Cademuir, but they came to an agreement respecting them on 17th December, 1767.<sup>2</sup> Walter Laidlaw married Margaret Welsh, one of the three daughters and heiress of John Welsh, Over Menzion. He mortgaged Hundleshope in 1773 for £1000 stg. to David Forbes, writer in Edinburgh, and in 1783 executed a trust settlement, under which in 1787<sup>3</sup> his trustees (one of whom was Alexander Stevenson of Smithfield) were infeft in the lands and sold them, with consent of his children, to Mungo Campbell of Grenada.

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<sup>1</sup> The property was advertised in 1746 in the *Caledonian Mercury*, and described as "paying of yearly free rent £111 17s. 1d. sterling, besides some superiorities, with a convenient house lately built, with good offices and a kitchen-garden," and it was added, "There are several thousands of thriving young Planting, and a little Bush of natural Elder, a good part thereof being fit for cutting, and plenty of peat." The superiorities referred to would doubtless include that of Acrefield, which came into the possession of Major Thomas Cochrane of Lamancha (p. 61).

<sup>2</sup> Burgh Papers. In a disposition by Laidlaw to James Burnet of Barns in 1758 of an acre of land on each side of Manor Water, it is said to be bounded on the north by the "Font Stone" (Barns Papers). Among the Burgh Papers also there is a decree obtained by John Laidlaw, road maker, against James Burnet of Barns, Walter Laidlaw of Hundleshope, and James Reid, Provost of Peebles, for making the road from Manor Water Bridge towards the town of Peebles, dated 20th November, 1781.

<sup>3</sup> The property was advertised in 1786, and was then said to consist of the farm of Hundleshope, 200 acres arable, and 2000 of excellent sheep pasture; Bellanridge, a farm of 200 Scots acres; and Hallyards, on which was a convenient house, a good garden and a pigeon house, along with the Mill-town mill and parks—free rent of the whole about £250.

## CAMPBELL OF HUNDLESHOPE



ARMS.—Gyronny of eight Or and Sable, the first charged with four crescents of the second within a bordure engrailed Azure charged with eight buckles of the first.

CREST.—A boar's head erected and erased Or, langued Azure.

MOTTO.—*Fac et spera.*

Mungo Campbell had been a planter in Grenada. He was the second son of Captain Alexander Campbell, descended from the Campbells of Kinloch and Sir Colin Campbell of Glenurchy, ancestor of the Earls of Breadalbane. His arms were matriculated in 1772.

He was succeeded in 1793 by his eldest son, Robert Nutter Campbell, who had held a commission as Captain in the 97th Regiment of Foot, and who has already been referred to as proprietor of Nether Horsburgh (vol. ii. p. 407) and of Kailzie (vol. ii. p. 546). He divided the property. Hundleshope itself he conveyed in 1801 to his brother, Alexander Campbell,<sup>1</sup> merchant in Glasgow; and in 1808 he conveyed to a relative, another Alexander Campbell, Bellanridge, Hallyards, and Milton, the subsequent transmissions of which will be noticed later. Alexander Campbell, the brother, held Hundleshope till 1817, when he resold it to Robert Nutter Campbell for £12,350.

<sup>1</sup> He had also Hay Lodge in Peebles (vol. ii. p. 312).

In 1826 Robert Nutter Campbell sold Hundleshope to John Ker, W.S., Edinburgh, son of William Ker of Kerfield (vol. ii. p. 352). He held it till his death in 1839, when it was sold by his sisters, as heirs portioners, to Robert Gillespie, merchant in London, from whom Sir Adam Hay of Haystoun purchased it in 1854 for £15,000. The property has since remained part of the Haystoun estate (vol. ii. p. 357).

The present rental is £389 12s. 8d.

### WOODHOUSE AND GLENTERNIE

This estate, lying on the west side of the valley and between Caverhill and Hallmanor, extends to about 600 acres, and consists of (1) the old lands of Woodhouse, (2) three-quarters of the lands of Over and Nether Glack, and (3) the Temple Lands of Manor.

#### (1) WOODHOUSE

This property—called locally Wuddus—belonged to the Inglis family as part of their half barony of Manor, and in the beginning of the sixteenth century their residence was on the lands, and they took the designation “of Woodhouse.” In 1522 it passed, along with their share of the barony, to David Hoppringle of Smailholm and his wife (p. 553); and their son James, who also took his designation from the lands, was succeeded in 1564 by his son James “of Quhytbank,” who the following year granted one half to William Burnet of Barns. This half Burnet passed on to his brother John,<sup>1</sup> who appears to have divided it between two of his sons, John and Thomas. There was some trouble about the boundaries, and in 1600 James Pringle was called in to arbitrate. According to his division, John Burnet and his son owned “the west half of the auld toun of Wodhous,” and the east half belonged to Thomas Burnet and William Lewis. That division appears to account for the whole property, but in any case, about the same time Pringle sold his half of the barony to William Burnet of Barns, which had the effect of vesting in the Barns family any lands in Manor the property of which was then held by Pringle.

Dealing with the quarter which belonged to William Lewis, who is called a merchant, he was due 900 merks to William Burnet of Barns,

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<sup>1</sup> He married Elspeth Paterson, and they had two other sons, Alexander and William, who both became dyers in Edinburgh. After his death in March, 1604, Elspeth, his widow, married James Scott in New-



to whom he granted a wadset for 400 merks, and he assigned the right of reversion to John Lewis, second son of the deceased James Lewis of Flora, on condition that this right was not exercised for ten years. In due time (1615) John Lewis exercised his right, paid off the wadset, and was in possession of his quarter in 1649, the rental being £60 12s. Scots. In 1654 and 1657 he is still portioner of Woodhouse, but he was dead in 1659, when his widow, Isabel Scott, and his son William granted a tack to Alexander Horsburgh in Dodhouse and another. William Lewis was succeeded by his brother Thomas, who took sasine on 25th May, 1664, on a precept of *clare constat* from John, Earl of Traquair, the superior. Thomas married Anabell Mure, and in 1673 they sold their quarter to Mr. Hew Gray "of Dalduff," minister of Kailzie, in liferent, and to Mr. Alexander Gray, his second son, in fee. This Mr. Alexander Gray sold the property—the date has not been ascertained, but it was before 1713—to Sir James Naesmyth of Posso.

Dealing now with the half which, as before mentioned, belonged in 1600 to John Burnet, this became the property of William Burnet (a younger son of the "Hoolet"), from whom and from whose son John it was adjudged in 1668 by their kinsman Alexander Burnet, Archbishop of St. Andrews. With the lands there went as a pertinent the lands of Boghouse, and the valued rental of the whole in 1649 was £164 18s. On the death of Archbishop Burnet in 1684 the property descended to his two daughters, Anne and Mary (p. 577). Anne's share was inherited by her son Alexander, Lord Elibank, and he sold it to Sir James Naesmyth of Posso. Mary's share passed to her son Alexander Mackenzie, younger of Prestonhall, who also sold it to Sir James Naesmyth.

These acquisitions by Sir James Naesmyth were made prior to 1713, in which year he granted the shares of Woodhouse (three-quarters), along with Caverhill and part of the Glack, to himself in liferent and James, his eldest son, in fee, whom failing to other substitutes.

With regard to the remaining quarter of Woodhouse which Thomas Burnet<sup>1</sup> held in 1600, he wadset it in 1614 for 700 merks to his cousin Mr. James Burnet, but continued to occupy it, on payment of a rent of 70 merks. The wadset was increased the following year to 1000 merks and the rent to 100 merks. This rent was not paid, and in 1619 proceedings had to be taken. Thomas, however, continued for a time in possession of the lands, but in 1623 he resigned them to William Burnet of Barns (the "Hoolet"), from whom they passed to his son John. The rental of this quarter in 1687 was 107 merks, with 6 kain fowls and 6 carriages.

Accordingly, the position of matters in the beginning of the eighteenth century was that the Naesmyths of Posso held three-

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holm, one of whose daughters, Elspeth, married her son John Burnet, the portioner of Woodhouse, and another daughter, Helen, married Mr. Alexander Spittal, minister of Manor.

<sup>1</sup> He married Katherine Lauder and had a son Thomas.

fourths of Woodhouse<sup>1</sup> (which included the pertinent of Boghouse) and the Burnets of Barns one-fourth. In 1713, the year in which Sir James Naesmyth conveyed his share to his eldest son, James Burnet of Barns had a charter of confirmation of his lands from Charles, Earl of Traquair, which included Woodhouse, and it would appear that some arrangement was made between the two families whereby the whole property was transferred to the Burnets. James Burnet certainly acted as if he was proprietor of the whole, and we find him in 1731 letting one-quarter to John Hislop in Whamhouse for nine years and three-quarters in 1734 to William Stevenson in Langhaugh, also for nine years. But he had only a feudal title to one-quarter.

In 1781 a process was instituted for dividing the respective possessions in Manor of the Burnets and the Naesmyths, and the arbiters were Adam Kennedy of Romanno, John Wightman of Mauldslee, and William Ker, distiller, Peebles. This was followed by a contract of excambion between Walter Scott, W.S. (father of Sir Walter Scott), as factor for Sir James Naesmyth, and James Burnet of Barns, according to which the lands allotted to Naesmyth comprised Woodhouse, three-quarters of Over and Nether Glack, and Templehaugh, extending in all to 574 acres 9.8-10 falls, while Burnet received Haswell-sykes, Caverhill, and the remainder of Glack, extending in all to 626 acres 13 falls.

## (2) THREE-QUARTERS OF GLACK

Glack (derivation : a hollow between two hills) lies between Woodhouse and Caverhill. The name appears in the charter to Adam Marshall in 1315 (p. 549), and is still in use. It was part of the barony of Manor, and is referred to in the account given of Caverhill (p. 614), of which it appears to have formed a pertinent. Thomas Baird of Posso held one-half of Glack on a charter (p. 559) from King Robert III. (1390-1406), but there is no further record of his ownership. The Caverhill family held the whole of it until the death of George Caverhill about 1473, from whom it descended to his three daughters. The share of one of the daughters, Marion, was acquired through marriage by the Burnets of Barns. The share of another daughter, whose name is unknown, passed through marriage to the Patersons of Caverhill, and from them in 1699 to Sir James Naesmyth of Posso. The third daughter, Elspeth, married Patrick Dickson, and on her death the ward of her share was given in 1500 to John Burnet of Barns by the superior, William Inglis of Murdieston. The Rutherfords of Kidheuch acquired it and held it till 1628, when it was purchased by William Burnet of Barns.

Accordingly, by 1700 the position was that the Burnets held two-thirds and the Naesmyths one-third, and the property was held in that

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<sup>1</sup> The Naesmyths also held land from 1619 at least, described as an acre at the head of the Woodhouse Meadow. Although this still appears in the present writs of Posso, it is probable that it was part of Woodhouse.



MUNGO CAMPBELL OF HUNDLESHOPE  
By Raeburn



ALEXANDER CAMPBELL OF HALLYARDS  
By Raeburn





way till 1781, when by the contract of excambion before mentioned, three-quarters of Over and Nether Glack were allotted to Sir James Naesmyth and the remainder to James Burnet.

### (3) THE TEMPLE LANDS OF MANOR

Manor had also its Temple lands, sometime called also Temple-house and Templehaugh. They lay to the west of Hallmeadow and Horswaird, and in the vicinity of the Town of Manor.

In the beginning of the sixteenth century Gorgon Temple—presumably he or his predecessors had taken that surname from the lands—was the proprietor, and on his death they were granted on 24th August, 1524, by George, Lord St. John, Master of Torphichen, with consent of Mr. Martin Lowis, to Laurence Temple, son and heir of Gorgon Temple, and the heirs of his body, whom failing to Mr. Martin Lowis and his heirs and assignees. The property was then said to consist of a house and yard, with croft and pertinents, and was held feu for payment of 39d. yearly. It was also stated that the earlier writs of the lands had been stolen.

Laurence must have died without heirs, as in 1538 John Lowis, son and heir of Mr. Martin, was in possession on his father's resignation, with reservation of his liferent, and with his father's consent he sold the lands in 1550 to Robert Scott of Heathpool and Adam Scott his son,<sup>1</sup> the charter being confirmed by James, Lord St. John, preceptor of Torphichen, in 1553. Thomas Paterson of Caverhill (p. 614) was also interested in the property. John Lowis, however, was still in the lands in 1563, when he obliged himself to pay the teind duty for them. And in 1564 William Burnet of Barns, for himself and others, went to the market cross of Peebles in response to the Queen's letters, and offered to the Queen's messenger to cease from further occupation of the Temple land belonging in liferent to Marion Wylie, the widow of John Lowis.<sup>2</sup>

In 1597 Simon Scott, the son of Adam, promised for 100 merks to infeft William Burnet of Barns in the lands, but this was evidently not carried out, as in 1611 Simon Scott himself, then called of Bonnington, had a charter of them from Robert Williamson of Murie-ston, the superior of the Temple lands, which charter included the pasturage upon the common of Boghouse and Woodhouse belonging to the lands, and also the non-entry duties since the death of Laurence Temple. The sasine following thereon was given by James Tempill, Sheriff Officer of Peebles. In 1622 sasine in the lands was given to Andrew Scott, merchant burgess of Edinburgh, on a charter by

<sup>1</sup> The seals of Mr. Martin and his son are appended, displaying a chevron, on a chief two long leaves and one in base. The father's has a small lozenge standing on the apex of the chevron. The son's chevron is narrower, and there is a mullet in the middle of the chief.

<sup>2</sup> *Peebles Protocols*.

Thomas, Earl of Melrose, William Burnet of Barns acting as "Templar bailie." The lands were appraised from Simon Scott of Bonnington by Robert Trotter, merchant in Edinburgh, and were by him assigned in 1627 to William Burnet of Barns, with whose family they remained, until by the excambion of 1781 they passed into the possession of Sir James Naesmyth of Posso.<sup>1</sup>

#### (4) THE WHOLE PROPERTY

The lands thus acquired by Sir James Naesmyth passed on his death in 1829 to his trustees, who in that year sold them for £11,500 to Andrew Ballantine,<sup>2</sup> merchant, Glasgow, whose father, James, was then the tenant. He, in 1838, for the purpose of rounding off the property, acquired from the trustees of James Burnet of Barns for £15 a small triangular piece of ground (1 rood 32 falls) lying beside Manor Water and between the lands of the Town of Manor and Woodhouse.

Andrew Ballantine was succeeded by his brother John, who was served as his heir in 1847, and who was succeeded in 1862 by his nephews, Robert Symington of Blackburn Hall, and James Tait, who had been a merchant in Glasgow. Symington was the only surviving son of Christian Ballantine, a sister of John, who married Robert Symington, farmer, Edston. Tait<sup>3</sup> was the only son of Marion Ballantine, another sister of John, who married James Tait, residing at the Glack. These proprietors the following year sold the property for £18,700 to David Kidd<sup>4</sup> of Lea Lodge, Leyton, in the county of Essex, a wholesale stationer in London. He erected, about 1873, the present dwelling-house on the lands, calling it Glenternie, and died in 1874, leaving a settlement in which he bequeathed the property

<sup>1</sup> Barns Papers. The rental of the lands in 1687 was 22 merks, with 2 kain fowls and 2 carriages.

<sup>2</sup> He was related to the Ballantines of Sunnyacres, Kirkurd (p. 206). It is recorded that the widow of William Ballantine of Sunnyacres died at Woodhouse in 1818 in her 99th year, leaving 6 children, 27 grandchildren, and 44 great-grandchildren.

<sup>3</sup> A sister of his, Christian, married John Melrose, and their grandchildren, John and Andrew Melrose, are at present farmers of Bellanridge.

<sup>4</sup> He was the inventor of the modern envelope, from which he made his fortune.

to his sisters, Miss Pringle Kidd and Miss Elizabeth Kidd, and to the survivor, the latter having the liferent.<sup>1</sup> Miss Pringle Kidd survived her sister, and died in 1902 at the age of 96. Her trustees in 1903 sold Glenternie and the lands for £17,300 to Thomas Inglis, Belvidere House, Stanley Road, Trinity, Edinburgh, the proprietor of the Bonnington Flour Mills. He introduced Belgian hares into the parish and district.

Thomas Inglis was succeeded in 1912 by his brother John, who died in 1922, and the property is now held by the latter's trustees.

The present rental is £504 2s. 10d.

#### HALLYARDS

The earliest reference to Hallyards is on 24th February, 1559-60, when Marion Lowis, widow of John Brunton, resigned a tack of the Mains of Hallyards in the hands of John Gledstanes of Cocklaw, the transaction taking place within the sanctuary of St. Gorgon the martyr of "Menars," about seven o'clock in the morning.<sup>2</sup> The lands lie on both sides of Manor Water in the vicinity of the Parish Church. Included in the property is Milton or Milntoun, and from an early date both Hallyards and Milton were part of the barony of Hundleshope, the story of which has been told.

A small part of the property, about two acres, was sold in 1756 by Walter Laidlaw of Hundleshope to James Burnet of Barns (p. 585) to improve the lade to Kirkton Mill.

<sup>1</sup> These ladies, along with Miss Anderson, Hallyards, contributed materially to the building of the Manor Bridge over the Tweed in 1883. This was of great benefit to the parish, and gave it access to the main road from Peebles to the west. Before that, the only convenient road out of the parish crossed the Manor Water near the foot by a bridge erected in 1702 by Lord William Douglas (p. 545), and led over the steep ridge called the Sware to Peebles. To ford the Tweed in times of flood was impossible. There was also another road round the back of Cademuir, but to reach it the Manor had to be crossed at Hallyards—there is a bridge now—and this was often difficult.

<sup>2</sup> *Peebles Protocols*. William Lowis in Kirkton was a witness.

It was during the ownership of the Campbells of Hundleshope (p. 605) that Hallyards was let for a time to Dr. Adam Ferguson,<sup>1</sup> professor of Moral Philosophy in the University of Edinburgh, and author of the *History of the Roman Republic*, and it was while on a visit to him there (1797) that Sir Walter Scott<sup>2</sup> had his meeting with David Ritchie, the original of his *Black Dwarf* (p. 545). During Dr. Ferguson's tenancy the garden was enlarged, the high wall built round it, and a sundial provided, which bears the inscription, *Soli Posuit, A. Ferguson, 1803*.

## CAMPBELL OF HALLYARDS



ARMS.—Quarterly: 1st, Gyronny of eight Or and Sable; 2nd, Argent, a broadsword in bend gules, hilted Sable; 3rd, Argent, a castle triple towered Sable; 4th, Argent, a ship in full sail proper in a sea undy Vert. The whole within a bordure Argent in the centre an escutcheon Sable charged with a boar's head erased Or.

CREST.—A lion's head affrontée proper.

MOTTO.—“I bear in mind.”

In 1808, as we have seen (p. 605), Hallyards and Milton, together with Bellanridge (p. 618), were conveyed by Robert Nutter Campbell to a relative, Alexander Campbell.

<sup>1</sup> Before taking up residence at Hallyards he occupied Neidpath Castle for a short time.

<sup>2</sup> In Hallyards House there is a book-board from the pew in Manor Kirk (*i.e.* the kirk before the present one), and on it are carved the initials W.S. and the date 1797. Apparently the sermon was not very arresting, when Scott was a worshipper in Manor Kirk.



Alexander Campbell, like his kinsman of Hundleshope, claimed descent from the house of Breadalbane through the Campbells of Kinloch. His arms were matriculated in 1814. He was a son of John Campbell of Whin Park, Stirlingshire, and married Barbara, second daughter of Archibald Campbell of Jura. His portrait, which hangs in the Kelvingrove Art Gallery, is considered a fine example of Raeburn's work. He died about 1817, succeeded by his eldest son, Mungo Campbell, who in 1836 sold Hallyards and Milton for £2300 to Andrew Clason, W.S., Edinburgh.

Andrew Clason is noted for two things. It was he who brought from Leith and set up on the lawn at Hallyards the statue of the Black Dwarf, and it was he who introduced from the north of Scotland the white hare, which is not now infrequent on the hills of Peeblesshire. The first of the species were set free by him at Manorhead near the Bitch Craig. He resided at Hallyards till his death in 1850. He had two brothers, whom he appointed his trustees—the Rev. James Clason, minister of the Free Church, Dalziel, and the Rev. Dr. Patrick Clason, minister of the Free Buccleuch Church, Edinburgh. They sold the property, including the furniture in the house, in 1851, for £3500 to William Anderson, merchant, Leith.

William Anderson died about 1879, and Hallyards was conveyed that year by his trustees to his elder son, William Anderson, M.D., of Richmond, Surrey, who married a daughter of James Burnet of Barns. He died in 1903, and his trustees are still in possession.

The present rental is £127 10s.

#### BARNS

The present estate of Barns lies north of Woodhouse, and extends northwards, bounded by the lands of Dawyck on the west and the Manor Water on the east, till it reaches the river Tweed. It includes (1) Caverhill and part of the Glack, (2) the Kirktoon or Kirklands of Manor, and (3) Bellanridge.

The present rental of the whole is £976 12s. 10d.

## (1) CAVERHILL AND GLACK

The earliest reference to Caverhill and Glack is in the charter in 1315 to Adam Marshall of the half barony of Manor. The next reference is in the charter by Robert III. to Thomas Baird of Posso (p. 559). The grant to Baird may only have been of the superiority, or he may have disposed of the lands soon after, for John de Caverhill<sup>1</sup> was the owner in 1408, when it is recorded that he had a charter from Archibald, Earl of Douglas, of the Mains of Nether Crailing (Roxburghshire). He was succeeded about 1446 by his son George de Caverhill of that Ilk, who apparently died without male issue, as the estate by 1473 was divided among three women, presumably his daughters.<sup>2</sup> A part of the property was then called Sourlands, but the name has disappeared, and its situation has not been traced.

The tower of Caverhill stood high up on the brow of the hill overlooking the Tweed and Manor Valleys, and the site is now occupied by the building of the Manor Valley Sanatorium.

## (a) ONE-THIRD OF THE LANDS (PATERSON'S SHARE)

One of the daughters of George Caverhill—her name is not known—married Ninian Paterson, and he acquired through her one-third of the property. His part included the tower, and he accordingly took the designation "of Caverhill."

Ninian Paterson was succeeded about 1528 by John Paterson of Caverhill, evidently his son, who in that year granted a tack of two acres of his lands of Caverhill called Twidscofts, which tack was witnessed by his brothers Thomas, Gavin, and George. John was succeeded about 1534 by his brother Thomas, to whom in 1546 John Lowis of Manor, as one of his overlords, granted a discharge on receiving payment of his ward and marriage. He had the Temple lands of Manor and half of the lands of Marcus in the White Barony of Eddleston. He was summoned by the superiors to appear at Castlehill, in the Baron Court there, on 17th January, 1564-5, to produce his title-deeds of Caverhill.

Thomas Paterson died about 1574. He had two sons, James and John. The elder, James Paterson of Caverhill, succeeded to the lands possessed by his father, and the last mention found of him is as witness to a sasine at Dollarburn on 24th March, 1579. He married Margaret Burnet and had two sons, Thomas and James. The elder, Thomas Paterson of Caverhill, is mentioned in 1602, but died before 1620, leaving a young son, James. To this boy his uncle James became tutor, and was known for the time as Tutor of Caverhill.

<sup>1</sup> His daughter Janet married William Watson of Cranston, who had a grant of the lands of Traquair in 1410 (vol. ii. p. 524).

<sup>2</sup> There were Caverhills in Foulage in the beginning of the sixteenth century (vol. ii. p. 324).

James Paterson of Caverhill was born in 1612,<sup>1</sup> and in 1634 married Christian Veitch, daughter of John Veitch of Dawyck. For the greater part of his life he leased the lands of Caverhill and lived in Peebles. In 1653 he wadset his lands of Over Glack for 1000 merks to John Williamson, burgess of Peebles. He was succeeded by an Alexander Paterson of Caverhill, who may have been his son—the connection has not been ascertained—and who disposed the property on 9th January, 1699, to Sir James Naesmyth of Posso, with the concurrence of Hugh Paterson, surgeon or apothecary in Edinburgh.<sup>2</sup>

(b) ONE-THIRD (BURNET'S SHARE)

Marion Caverhill, another daughter of George Caverhill, married Burnet of Burnetland, the founder of the Barns family (p. 571). His share included the Barns of Caverhill<sup>3</sup> lying along the Tweed, and it was there that his son John built in 1498 the tower of Barns, which still stands.

(c) THE REMAINING THIRD

Elsbeth Caverhill, the third daughter, married Patrick Dickson, and apparently survived him. Of her share, which included Haswell-sykes,<sup>4</sup> she and her husband granted in 1498 a nineteen-years' lease to John Burnet. She died about 1500, and Burnet in that year had a grant of the ward of her lands from the superior, William Inglis of Murdieston,<sup>5</sup> who was his father-in-law, on payment of five nobles yearly. Adam Rutherford of Kidheuch was proprietor prior to 1546, in which year his son William had a precept of *clare constat* from the superiors, John Lowis and Margaret Lundy, wife of David Pringle of Smailholm. In 1554 and 1556 there are references to Philip Scott as paying his share of the ward of Caverhill and Glack, along with Thomas Paterson and William Burnet, to Michael Naesmyth.<sup>6</sup> Scott may then have been the owner or a wadsetter, but in 1558 William Rutherford of Kidheuch was again in possession (p. 572), and from him they descended to his grandson Adam, who married in 1574 Janet, daughter of William Burnet of Barns (p. 574). Thereafter, the Rutherfords con-

<sup>1</sup> He appears as a witness in 1672, and is then sixty years of age.

<sup>2</sup> John Alexander was tenant of the lands in 1700, and in 1751 disposed what right he had in them to John and Robert Alexander, his two eldest sons, and the Alexanders were still there in 1781.

<sup>3</sup> Barns is derived from the Anglo-Saxon *Bevern*, a place where bere (barley) was stored.

<sup>4</sup> *Haswell* may be the name of the original settler; *sykes* is Anglo-Saxon for ditch or small stream.

<sup>5</sup> Caverhill and Glack were part of the barony of Manor, and the families of Inglis and Lowis were joint superiors.

<sup>6</sup> Naesmyth was acting as commissioner for John, Lord Fleming, who had a grant from the Queen of the ward of all the lands of Manor.

tinued in possession till 1628, when John Rutherford sold the property to William Burnet of Barns for 4200 merks.

## (2) THE KIRKTOWN OR KIRKLANDS OF MANOR

Prior to the Reformation these lands, lying in the vicinity of the church, belonged to the Archdeacon of Glasgow. Thereafter they came into the possession of the Lowis family, and John Lowis of Manor, who died in 1568 (p. 558), directed in his will that the rents of the Kirktown were to be used to pay for the education of his eldest son Thomas. Robert Douglas, designed as brother german of William Douglas of Cavers, was the proprietor in 1598, and in that year he sold the property to James Dickson, who was then the tenant. By that time Kirktown was held of the Crown for an annual feu-duty of three merks, with 3s. 4d. of augmentation, and a Crown charter of confirmation was granted to Dickson in 1605.<sup>1</sup>

In 1596 Mr. John Hay, the laird of Smithfield (vol. ii. p. 337), was concerned in the murder of James Dickson's son, and a feud in consequence arose between the two families. Dickson claimed 1000 merks; Smithfield offered to pay 500 merks and to agree to arbitration for the balance. The Laird of Buccleuch was brought in as mediator, and by September, 1597, the claim was apparently settled.<sup>2</sup> The following year Dickson was "at the horn" for oppression of the minister. The latter was entitled to a glebe out of the Kirktown lands, but Dickson was reluctant to allow this, and after the extent had been fixed and the glebe allotted, his men took possession of it and tilled it on the Lord's Day, for which they were summoned before the Presbytery. The trouble continued for some years. In 1600 Dickson was still refusing to allow the glebe to the minister, whom he "discouraged and disgraced in his calling." Arbiters were appointed—the Laird of Horsburgh and James Scott in Hundleshope for Dickson and his son, and the Laird of Blackbarony and Michael Naesmyth of Posso for the minister, Gilbert Taylor. The Presbytery permitted the minister to take up another residence during the dispute (without prejudice to his stipend), advised him to lay his grievances before the King, and cautioned him to give "no cause of vantage to his adversary." By 1602 Dickson had agreed to a glebe of four acres, with grass for two cows and a "naig." To this the minister reluctantly consented, but when the members of Presbytery assembled to see the ground marked off, Dickson had neglected to provide a "metster" (measurer), and the Presbytery then record their opinion of him—that they found in him no "aefauldness" (sincerity), and that he promised fairly but performed slenderly. The following year Dickson was still refusing "souns" of grass, and the upshot is not recorded, as there is a blank in the Session records for some years.

In 1602 James Dickson of Kirktown sold a part of his property, called the Kirkton Leis, to William Burnet of Barns, the transaction

<sup>1</sup> R.M.S. vi. No. 1682.

<sup>2</sup> Session Records.



being confirmed by a Crown charter in 1605. The remainder was wadset to Burnet in 1606 for 2440 merks, and ultimately became part of the Barns estate, as the Dicksons were unable to exercise their right of redemption. Mr. Theodore Hay, Archdeacon of Glasgow, and parson of Peebles and Manor, acknowledged in 1622 that William Burnet and his son John were his vassals in the lands, and promised to assist in obtaining a new charter, but there is no record of this having been granted. In 1687, according to the Barns rental of that year, the rent of the Kirktoon was payable in kind—18 bolls and 1 firlof of bear, 13 bolls of meal, 2 bolls pease, 12 kain fowls and 12 carriages.

A mill was built at the Kirktoon in 1718 (p. 585) by James Burnet of Barns, which then was the only mill in the parish, the other mills referred to in the old rhyme (p. 537) having disappeared by that date.

### (3) CAVERHILL, GLACK, AND THE KIRKLANDS

From the foregoing we have seen how one-third of Caverhill and Glack came into possession of the Naesmyths of Posso, and how the Burnets acquired the remaining two-thirds<sup>1</sup> and also the Kirklands. These shares were so held until 1781, when by a contract of excambion (p. 608) three-fourths of Over and Nether Glack<sup>2</sup> were allotted to Sir James Naesmyth, while James Burnet of Barns received the whole of Caverhill (including Barns and Haswellsykes) and the remaining part of Glack. So constituted, the property remained with the Burnets till 1836, when James Burnet was compelled to convey all his lands to Thomas Mansfield, accountant, Edinburgh, as trustee for his creditors. This trustee in 1839 sold the property for £27,500 to William Alexander Forrester (p. 589), who was in possession till his death about 1866, in which year his trustees sold it for £25,000 to the Earl of Wemyss and March, with whose family (vol. ii. p. 309) the property has since remained. Of late years the farmhouse of Caverhill has been converted into a sanatorium, and now with ground adjoining belongs to the Manor Valley Sanatorium, Ltd.

<sup>1</sup> The rental in 1687 was 400 merks for Barns and Haswellsykes, and 100 merks for Glack, with 6 kain fowls and 12 carriages.

<sup>2</sup> Now part of Woodhouse.

## (4) BELLANRIDGE

This farm, about 200 acres, lying to the north of the church, and bounded by the Tweed and Manor Water, was originally a part, and as such shares the history, of the barony of Hundleshope (p. 598). One field extending to over five acres was acquired in 1768 (p. 585) by James Burnet of Barns from Walter Laidlaw of Hundleshope, and passed with the Caverhill and Barns properties, as above, to the Earl of Wemyss and March in 1866. The rest of the property had previously been purchased in 1836 by the Earl of Wemyss and March from Mungo Campbell, whose father had acquired it (p. 605) in 1808 from Robert Nutter Campbell of Hundleshope. It now forms part of the Barns estate.

On the roadside at Bellanridge, built into the wall, is the large cup-marked monolith before referred to (p. 538). It has been conjectured that it was set up there to commemorate a battle, and that the name given to the lands is derived from *bellum* (war), but the name, as Dr. Chambers has pointed out, is comparatively modern, and does not appear in the older writings, although his conclusion that the origin is the heather-bells of the valley may be doubted. On the other side of Manor Water, east from Bellanridge, is the "Scawd Bell's Brae" of the rhyme (vol. ii. p. 368), a solitary tree still marking the site of the house.

## APPENDIX No. I.

### THE LORDS-LIEUTENANT OF PEEBLESSHIRE.

- 1794 Alexander, 7th Baron Elibank.  
1821 Francis, 7th Earl of Wemyss and March.  
1853 " 8th  
1880 Colin James MacKenzie, " of Portmore.  
1896 Montolieu Fox Oliphant, 10th Baron Elibank [created  
Viscount Elibank, 3rd July, 1911].  
1908 Sir Edward Priaulx Tennant, Bart. [2nd Bart.], [created  
Baron Glenconner, 3rd April, 1911].  
1921 Thomas David, 1st Baron Carmichael, G.C.S.I., G.C.I.E.,  
K.C.M.G.  
1926 Michael Grieve Thorburn, of Glenormiston.

## APPENDIX No. II.

### THE SHERIFFS OF PEEBLESSHIRE.

- 1184 Symon, son of Malbeth, Sheriff of Traquair.  
 1227 John, Sheriff of Peebles.  
 1233, c. 1259 Sir Gilbert Fraser, Sheriff of Traquair.  
 1262 Aymer de Maxwell, Sheriff of Peebles.  
 1266 Sir Symon Fraser, Sheriff of Traquair and Peebles.  
 1288-89 William Perel, Sheriff of Traquair.  
 1302 Sir William de Durham, Sheriff of Peebles.  
 1306 Aymer de Valence.  
 c. 1320 Patrick Fleming.  
 1358 Adam Lokard.  
 1359 Lawrence de Govan.  
 1409 Sir William Hay of Locherworth.  
 1418 Sir William Hay, his son.

From which time it seems to have been heritable in the family of Hay, Lords Yester, Marquises of Tweeddale, until 1686,<sup>1</sup> and after that in the family of Douglas, Earls of March, until the abolition of heritable jurisdictions after the rebellion of 1745; but John, 3rd Lord Hay of Yester, for letting two thieves escape, was deprived of the office on 27th September, 1530, and it was given in December of that year to Malcolm, Lord Flemyng. Lord Yester fought the matter in the Court of Session, and the forfeiture of the office was declared null on 28th April, 1543.<sup>2</sup>

- 1652<sup>3</sup> (Commonwealth) Samuel Desborrow and Sir Alexander Murray of Blackbarony.

- 1748-1760 James Montgomery.  
 1760-1775 Alexander Murray.  
 1775-1789 Alexander Stevenson.  
 1789-1810 James Wolfe Murray.  
 1810-1819 James Wedderburn.  
 1820 { Andrew Clephane.  
           { John Wood.

- |           | <i>Sheriffs.</i> | <i>Substitutes.</i> |
|-----------|------------------|---------------------|
| 1821-1828 | John Wood.       | John Burton.        |
| 1829-1838 | " "              | " "                 |
| 1839-1840 | " "              | Arthur Burnett.     |

<sup>1</sup> See Vol ii. p. 294.

<sup>2</sup> *Ibid.* p. 298.



	<i>Sheriffs.</i>	<i>Substitutes.</i>
1841-1842	George Napier	Arthur Burnett.
1842-1868	" "	" "
1869-1872	" "	John Hunter.
1873-1881	" "	Thomas Henderson Orphoot.
1882	" "	" "
1883	" "	" "
1884	Arch. Davidson.	" "
1885	" "	" "
1886	" "	" "
1887	James A. Crichton.	" "
1888	" "	" "
1889	" "	" "
1890	" "	" "
1891	" "	" "
1892	Alexander Blair, M.A.	" "
1893	" "	" "
1894	" "	" "
1895	" "	" "
1896	" "	" "
1897	Andrew Rutherford.	" "
1898	" "	" "
1899	" "	" "
1900	" "	" "
1901	" "	" "
1902	" "	" "
1903	" "	" "
1904	" "	" "
1905	Charles C. Maconochie, M.A., K.C.	" "
1906	" "	" "
1907	" "	" "
1908	" "	" "
1909	" "	" "
1910	" "	" "
1911	" "	" "
1912	" "	" "
1913	" "	" "
1914	" "	" "
1915	" "	" "
1916	" "	" "
1917	" "	" "
1918	" "	" "
1919-1927	G. L. Crole, K.C.	Patrick Smith M.A., LL.B.

## APPENDIX No. III.

MEMBERS OF PARLIAMENT FOR THE PEEBLES DISTRICT OF BURGHS  
(PEEBLES, SELKIRK, LINLITHGOW AND LANARK), FROM THE  
UNION UNTIL 1832, WHEN THE CONSTITUENCY OF THE BURGH WAS  
BLENDED WITH THAT OF THE COUNTY. THE YEARS ARE THE  
DATES OF ELECTION.

- 1707. Mungo Graham of Gorthy.
- 1708. Colonel George Douglas.
- 1710. The same.
- 1713. Sir James Carmichael of Bonnyton, Baronet.
- 1715. Colonel George Douglas.
- 1722. Daniel Weir; died 1725.
- 1725. John Murray of Philiphaugh.
- 1727. The same.
- 1734. Hon. James Carmichael.
- 1741. John Mackye of Palgowan.
- 1747. Hon. James Carmichael.
- 1754. John Murray of Philiphaugh.
- 1761. John Ross of Balnagowan.
- 1768. James Dickson of Broughton and Kilbucho; died 1772.
- 1772. Sir John Cockburn of Langton, Baronet.
- 1774. The same.
- 1780. The same.
- 1784. John Moore, Captain 82nd Regiment of Foot (afterwards  
General Sir John Moore).
- 1790. William Grieve, of London.
- 1796. Right Hon. J. G. Viscount Stopford.
- 1801. The same.
- 1802. William Dickson of Kilbucho, Lieutenant-colonel 42nd  
Highlanders.
- 1806. Sir Charles Ross of Balnagowan, Baronet.
- 1807. William Maxwell of Carriden.
- 1812. Sir John Buchanan Riddell of Riddell, Baronet.
- 1818. The same; died 1819.
- 1819. John Pringle of Clifton.
- 1820. Henry Monteith of Carstairs.
- 1826. Adam Hay, Banker in Edinburgh.
- 1830. Henry Monteith of Carstairs.
- 1831. William D. Gillon of Wallhouse.

MEMBERS OF PARLIAMENT FOR PEEBLESSHIRE, FROM THE UNION UNTIL  
THE JUNCTION OF THE BURGH WITH THE COUNTY.

- 1707. William Morrison of Prestongrange.
- 1710. Alexander Murray of Cringletie.
- 1713. William Morrison of Prestongrange.
- 1715. Alexander Murray of Cringletie.
- 1722. John Douglas.
- 1727. The same ; died 1732.
- 1732. Sir James Naesmyth of Posso, Baronet.
- 1734. The same.
- 1741. Alexander Murray of Cringletie.
- 1747. John Dickson, younger of Kilbucko.
- 1754. The same.
- 1761. The same ; died 1767.
- 1767. Adam Hay, Captain 6th Regiment of Foot.
- 1768. Right Hon. James Montgomery, Lord Advocate.
- 1774. The same ; resigned 1775, on being appointed Lord Chief  
Baron of Exchequer.
- 1775. Adam Hay of Soonhope ; died same year.
- 1775. Sir Robert Murray Keith of Murray Hall, K.B.
- 1780. Alexander Murray of Murrayfield, Solicitor-General for  
Scotland ; appointed a Lord of Session, 1783.
- 1783. Alexander Murray of Blackbarony.
- 1784. David Murray of Hattonknow.
- 1790. Lieutenant William Montgomery, 4th Regiment of Foot.
- 1796. William Montgomery, younger of Stanhope ; died 1800.
- 1800. James Montgomery, younger of Stanhope.
- 1801. The same.
- 1802. The same.
- 1806. The same, being then Sir James Montgomery of Stanhope,  
Baronet.
- 1807. The same.
- 1812. The same.
- 1818. The same.
- 1820. The same.
- 1826. The same.
- 1830. The same.
- 1831. Sir George Montgomery of Macbiehill, Baronet; died July, 1831.
- 1831. Sir John Hay of Smithfield and Haystoun, Baronet.

## MEMBERS OF PARLIAMENT FOR THE COUNTY AND BURGH OF PEEBLES.

- 1832. Sir John Hay of Smithfield and Haystoun, Baronet.
- 1835. The same.
- 1837. William Forbes Mackenzie of Portmore.
- 1841. The same.
- 1845. The same.
- 1847. The same.

- 1852. Sir Graham Graham Montgomery of Stanhope, Baronet.
- 1857. The same.
- 1859. The same.
- 1865. The same.
- 1866. The same.

MEMBERS OF PARLIAMENT FOR THE UNITED COUNTIES OF  
PEEBLES AND SELKIRK.

- 1868. Sir Graham Graham Montgomery of Stanhope, Baronet.
- 1874. The same.
- 1880. Charles Tennant of The Glen.
- 1885. Sir Charles Tennant of The Glen.
- 1886. Walter Thorburn of Kerfield.
- 1892. The same.
- 1895. The same.
- 1902. The same, being then Sir Walter Thorburn.
- 1906. The Master of Elibank (Hon. A. C. W. O. Murray).
- 1910. William Younger of Auchen Castle.
- 1910. Donald Maclean.

MEMBERS OF PARLIAMENT FOR PEEBLES AND SOUTH MIDLOTHIAN.

- 1918. Sir Donald Maclean.
- 1922. J. Westwood.
- 1923. The same.
- 1924. The same.



# APPENDIX No. IV.

## THE CONVENERS OF THE COUNTY AND COUNTY CLERKS.

### APPENDIX IV

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<i>Date.</i>	<i>Convener.</i>	<i>Vice-Convener.</i>	<i>County Clerk.</i>
1890	Sir Graham Graham Montgomery, Bart. of Stanhope.	Colin James MacKenzie of Portmore.	William Blackwood, Peebles.
1891	"	"	William Blackwood and John Ramsay Smith, Joint Clerks.
1892	"	"	John Ramsay Smith.
1896	"	T. Tweedie Stodart of Oliver.	"
1901	T. Tweedie Stodart of Oliver.	Sir Thomas D. Gibson Carmichael, Bart.	"
1901	Sir Thomas D. Gibson Carmichael, Bart. of Skirling.	M. G. Thorburn of Glenormiston, Innerleithen.	"
1902	M. G. Thorburn of Glenormiston, Innerleithen.	H. B. Marshall of Rachan, Broughton.	"
1926	"	"	John Ramsay Smith and William T. Blackwood, Joint County Clerks.

## APPENDIX No. V.

### PEEBLES: THE GUILDRY COUNCIL

A GUILDRY COUNCIL still exists in Peebles, but only for social and charitable purposes.<sup>1</sup> Originally, however, this council had specified powers conferred on it, and in its own sphere was only second in importance to the town council. An Act of Parliament passed in 1593 approved of the power of the dean of guild and his council "quhilk is to the great furtherance of justice . . . in all actions and maters concerning merchands." Before that date, the Convention of Burghs was active in urging the appointment of a dean of guild, and in 1600 ordained that "na brugh elect or cheis ony persoun to be thair dayne-of-gild without he be ane merchand trafficquand and habill to discuss upon merchand billis and merchand caussis."

Although the burgh of Peebles, by the charter of 1621, was empowered to have a dean of guild and council, there does not seem to have been any appointment prior to 1647. On 5th October, 1640, the creating of "ane dean-of-gild" was under consideration, and at the annual election on 4th October, 1647, John Tuedy, younger, was appointed to the position, and the office has continuously been filled since that date. On 20th December, following, the dean appointed his first council. The town council having had no previous experiences of a dean of guild were a little doubtful about his powers, and he was ordained "to produce the dean-of-gildis lawis and practique of the burgh of Edinburgh." Having digested these, the council then instructed him "to take diligent tryall of all merchantes measouris." To begin with, he was apparently not a popular official with the traders and craftsmen, and on 25th December, 1648, he was instructed "to caus summond all these thet has raillit upone him and his associatts in executioun of thair office." The council were still not clear on the precise powers to be given to their new official and his court; and on 9th February, 1649, it was decided to procure from "the proveist and bailyeis of Lythgow or thier clerk the extract of the actis and ordouris maid be thame." His principal duties were, certainly, in connection with the weights used by the traders in the town.

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<sup>1</sup> The guildry council must not be confused with the Dean of Guild Court, which still has an extensive jurisdiction over buildings both at common law and by statute. (See Muirhead, *Municipal and Police Government in Scotland*, 1924, vol. i. p. 501.)

The earliest minute book of the guildry council is not in existence, but the original rules and regulations have been copied into the second minute book which begins in 1705. From these we learn that the dean of guild was to be chosen annually by the town council, and his qualification was that he must be a councillor and a merchant trading in the burgh. His council originally consisted of six persons, four of whom were merchants, and two craftsmen. The dean and his council were given power to hold courts, and pronounce decrees "in all actions and matters concerning merchants betwixt merchant and merchant." He was given the custody of one of the keys of the town charter chest; and it was provided that all who were burgesses in the burgh before the guildry was established, and their successors, should be entitled to the benefits thereof. A guild brother's oath was as follows: "I doe here protest befor God that I shall be a faithfull gild brether. I shall not collour any unfreeman's goods under pretence of my owne. I shall not pack nor peill with any unfreeman. I shall not pass any insufficient goods, nor fyne at my oune hand without discovering the same to the judge ordinar, and so oft as I shall break my oath I shall be lyeable and pay in to the gildrie of Peebles the soume of forty pundis Scots money." The dean of guild was bound to report regulations passed by him to the council: if these were found to be just, they were sanctioned; if not they were cancelled. He was empowered, along with one of the magistrates, to deal with "all controverted merchies betwixt neighbour and neighbour." On market days, his duties were onerous. He had to examine the "nolt hydes" and sheep skins, and seize such as were faulty; it was his duty to search for and apprehend all "forestallers"<sup>1</sup> and "regraters";<sup>2</sup> to punish buyers and sellers before the hour appointed in the market; to punish outland merchants who were found selling staple wares, and usurping the freemen's trading privileges; to see that the market places were left clean; to examine the weights and measures, and, if found in order, to stamp them with the letters D.G.; to test all the meat on sale, and to fix retail prices for the various commodities. One of the market regulations was that no merchant should sell to an "unfree" packman more than he could carry on his back. The following statutes of the guild are engrossed in the same minute book:

"No flesher, so long as he exercise the use of his Office, shall buy woll, hydes or skins, except he forswear his ax, and that he shall not with his hands kill any beasts."

"An earnest promise given by the buyer and received by the seller makes the contract of buying and selling complete."

"Merchants should buy their merchandise from burgesses."

"Fleshers may not be brethren of gild."

"He is infamous who reveals the secrets of the gildrie."

<sup>1</sup> Purchasers of goods on the way to the market.

<sup>2</sup> Those who bought and sold again in the same market.

On 30th September, 1650, when John Plenderlaith was appointed to the office, it was directed that he was to have "ane burges composition and all the fynes upliftit be him," but he was to account for these to the council. It does not appear that the guildry council were ever allowed to interfere with the jurisdiction of the magistrates; on the contrary, they could only deal with such matters as were specifically remitted to them.

12th January 1652. "Ordanes Alexander Lauder, deane-of-gild to keepe his deane-of-gild court to-morrow for censureing James Scott and his mother for the wrong done be them, and if the deane-of-gild failyea, to be censureid himself be the counsell."

On 1st November, 1652, when the annual appointment was made, it was provided that the dean and his council should do nothing in prejudice of the town's liberties and rights.

There are only a few more references to the guildry in the records of the town council. On 29th September, 1654, the dean was ordered "to keep his counsell for regulating the pryce of the comodities sold be merchants under the pane of lossing his office"—which points to considerable slackness in that official's administration. On 19th October, 1662, the dean reported that it was the practice in Edinburgh "that no outland men hes friedome to rin tar . . . and therfor the same libertie may be applyed to this burgh." The town council, accordingly, ordered all outland men "who hes tar within the burgh to find cawtioun before the removeall of their tar." Arising out of that there was a complaint on 2nd February, 1665, that the dean of guild had given permission to merchants to sell tar "to unfriemen in the country," but no decision is recorded.

On 16th February, 1698, the guildry were given permission to have seats in the church, the "south syd of the town loft" being enclosed for that purpose.

In 1727 (13th November) the dean of guild petitioned the council that the expression "guild brother" should be taken out of the burges tickets, as it was "hurtful to the whole Guildry." The council agreed that in ordinary cases these words should be kept out, but this decision was not to apply to burges tickets given to the "nobility and gentry."

During the eighteenth century the guildry minutes are principally concerned with disputes about boundaries and encroachments.

The guildry council, originally composed of six members, was increased later to fourteen, but the date of the change is not recorded. They were appointed annually by the guild brethren, and the names were afterwards reported to the town council for approval. In December 1834 the town council desired that the guildry should submit to them eighteen names instead of fourteen, so that they might have some choice in the matter, and indicate four out of the eighteen who would not be approved. A special meeting of the guild brethren was held to consider this, and they decided not to comply with the council's request.



There was no fixed table of fees charged on the admission of guild brethren. It rested entirely in the discretion of the dean of guild and his council. The practice, latterly, seems to have been to charge strangers 25s., and the sons and sons-in-law of guild brethren 15s. The only special privilege which the guild brethren enjoyed was that they were allowed to trade and traffic within the burgh, without being subject to payment of stent money, in which all traders, not being burgesses and guild brethren, were liable to be assessed.

The guildry council still receives the annual approval of the town council, but it has no statutory duties to perform. It administers a small revenue derived principally from pews in the parish church.

## APPENDIX No. VI.

### PEEBLES : INCORPORATIONS AND CRAFTS

It was a common practice in royal burghs for members of a particular craft or trade to combine together and obtain from the council a charter of incorporation. If this were granted, rules and regulations were framed for the management of their affairs, and the admission of members. Special trading privileges were thus acquired, and the sanction of the council usually carried with it the right of representation on the council board. The charter granted simply consisted of an official extract of the minute approving of the incorporation, and was termed a "Seal of Cause," as the burgh seal was affixed thereto.

#### I. WEAVERS

The earliest references in the records are to the weavers, or, as they were called, the wobsters or textours. When they first formed themselves into a trading craft is not known, but it was probably before the beginning of the sixteenth century. On 8th April, 1555, the bailies were required to make the weights "baith custum and wobstaris" equal. The weavers are there referred to as brethren of the craft. They were authorised by the council on 5th February, 1561, to choose a deacon yearly, to conform to the practice in other burghs, and specially Dundee and Edinburgh. The appointment was a yearly one from Michaelmas. The first deacon elected was John Wilson, and one of his duties was to collect from the members "thair wolklie penny to be distributed be sycht of the baillies to the pure folkis."

The first formal incorporation of the weavers appears to have been in 1563, when a seal of cause was granted in the last day of February. It was signed by the provost, William, Lord Hay of Yester, and by James Tweedie, bailie. It proceeds on the narrative that the weavers had presented to the council a Bill and Supplication "in the whilk was contained Claims, Statutes and Articles made . . . for the honour of God Almighty" and for the common weal of the burgh, and common profit and safety of the craftsmen, and for many divers causes of good motive. It provides for the yearly election of the deacon by freemen of the craft who were burgesses. No one was allowed to warp in the craft as master till he was made a burgess, and had been examined by the deacon and masters "gif he be worthy, and that he have

sufficient graiths and work looms." The entry fees were 40s., together with the price of two pounds of wax ; but these were reduced to one merk, when the applicant was the son of a burghess. The period of apprenticeship was five years, and it was an offence for one master to take without leave the apprentice of another master. The penalty for disobeying the deacon was the price of a pound of wax. Every worker had to contribute weekly one penny, and every hired servant one half-penny, for the good of the craft. To hire looms was prohibited unless they belonged to freemen—"for doubt of spoiling the work." No woman could act as a full master of the craft unless she was the widow of a freeman. Outland weavers—*i.e.* dwelling without the freedom of the town—were bound to contribute one penny each week "whilk is but ane small thing" to maintain the craft which had all the burghal duties to perform. One half of this contribution was given to the poor. Finally the craftsmen were granted the same privilege as their brethren had obtained in Edinburgh, Dundee, or St. Johnston (Perth). This seal of cause was granted shortly after the Reformation, and indeed there is a religious flavour about it, for the various articles were found "laudable to God, holy to the Congregation, honourable for all the realm and profitable to the craftsmen."

The weavers had apparently special duties to discharge in watching the town, but what these were does not clearly appear. On 16th October, 1572, they are ordained "to keep thair watsche siclik quart-erlie as afore."

On 30th October, 1605, the deacon had occasion to complain to the council that the members of the craft would not obey him. They were all prevented from working "quhill the counsell give thame autorite and tak ordour with thair disobedience."

It was the practice of the deacon to hold courts in order to supervise the affairs of the craft, but for these the consent of a magistrate was required which was not always obtained. On 30th October, 1620, an order was passed prohibiting the deacons to hold courts "without ane baillie," and to produce their seal of cause "gif ony thay haif."

The deacon had a seat on the council, and according to the "sett" of the burgh, he was selected from a leet of six made by the craft, and shortened to three by the magistrates. This procedure was not always followed. In 1647 a short leet of three was given in by the craft, to which the council nominated a fourth ; from that leet the deacon was appointed by the council, and a protest was lodged "that the new election suld not be prejudiciall to the libertie of the wobstaris, conforme to thair seill of caus." In the same year, and also in the following year, the price charged by the weavers came under consideration. On November 22nd, 1647, the craft were called on to answer for the "extraordinar pryces takin be thame," and, as a consequence, the weavers were prohibited from taking any other prices than were taken "befoir the fourtie fyve yeir of God." But the weavers stood out, and declared (6th December) that they would

not adhere to the former prices. On 17th April, 1648, the council found that the deacon and his craft had "transgressit in taking mair for the pryces of thair work nor the old custom thairfoir," and ordained them to conform under the pain of losing their freedom. On 24th April, William Wilson, the deacon, was allowed fifteen days for consideration. On 8th May, he appeared and protested that the council's action was contrary to the seal of cause, and the custom of other burghs. William Lewis, one of the bailies, replied that the council were empowered by the laws of the realm. The council, after consideration, came to the conclusion that they were the "onlie judges to the pryces of the saidis wobsteris," and the deacon, along with his quartermaster, was committed to the tolbooth.

On 14th February, 1670, the council again fell foul of the deacon because of a trading arrangement he had made with a weaver outside the town. Whether as a result of this is not clear, but the craft were municipally disfranchised for a period of thirty years. On 27th September, 1703, a supplication was given in by William Chambers, deacon of the trade at the time, referring to the former custom according to which the deacon had been constantly a member of council "till about threty yeirs since or thereby the deacon, through his own personall fault, was extruded out of the counsell, and since syne ther said deacon hes never been admitted a member of the counsell." On the very natural ground that it was "mighty hard to punish a whole trade for one's fault who is now long since deceast," the council were asked to restore the former custom. This application was duly considered, and granted.

In the interval, the craft had received a new seal of cause. The reasons for granting this (20th January, 1686) were that "by the length of time and by the hard usage the said Incorporation had met with in the time of the late troubles when the Burgh of Peebles was burnt by our enemies," the original document was not easily read. The new seal of cause was similar to the old, but power was given not only to elect a deacon but also four quartermasters, a boxmaster, a clerk and an officer. The penalty of one pound of wax referred to in the original seal was now entered at 5 merks. Power was also given to the craft to search for and seize any work that was sent out of the burgh to be wrought by any outland or unfreeman weaver.

On 30th September, 1706, the council refused to accept the person nominated as deacon, by name John Guthrie, for what was apparently an excellent reason—that he was "superannivat and dazed, and altogether dull of hearing and so unfitt."

In 1767 a curious case came before the council. Andrew Anderson, a weaver, and apparently at the time clerk of the incorporation, petitioned the incorporation in September 1766, craving that he should be allowed to provide the mortcloth and wood for the coffin "to everyone of the said Incorporation that should happen to die thereafter." The reason given for this extraordinary request was that he would charge an "easier rate" and so "prevent all imposition upon



the trade for such things in time comeing." The petition was granted by a majority, and then, it was afterwards alleged, Anderson put a false entry in the minute book to the effect that each person who did not employ him for these necessary services should be fined 5s. When the minute was read over to the deacon and his quartermaster on 12th December, they were startled, and referred the whole matter to a full meeting of the trade which was held five days later. Before that meeting, Anderson "not thinking himself safe to stand trial by his conduct . . . thought proper to carry the Trades Book from house to house through the members, and by circumvention he prevailed with the greater number of them to sign his false minute." At the meeting, a protest was lodged by several members. Nothing further happened till September 1767, when the incorporation met to make out the long leet of candidates for the position of deacon. It was alleged that those who had protested against the action of Andrew Anderson were not allowed to stand as candidates, until they had withdrawn their protests. This they would not do, and appealed to the council setting forth their grievances, and further alleging that Anderson

"without any authority of the trade framed an oath to be put to the Deacon at his Election,—viz.: That the Deacon should be obliged, before he give voice in Council, to communicate the matter to the Incorporation, and to vote according to their discretion."

The council heard parties, and found (30th September, 1767) that the long leet of candidates had been regularly made up, but that the oath complained of was totally inconsistent with the oath of secrecy taken by each councillor. They accordingly ordained the oath "to be cancelled in the Incorporation Books, and never hereafter to be enforced or taken." Avizandum was made "as to the other parts of the petition," but no more is heard of it.

After the annual elections of councillors in 1768, a petition was served on the council at the instance of the deacon of the weavers, James Stevenson, and others alleging that the election had been illegal. The deacon, who was of course a member of council, disclaimed all knowledge of this petition, and the action was defended. It subsequently transpired (8th March, 1769) that the petition had been engineered by David Dickson of Kilbucho, who was found liable in £17 of modified expenses. What right or title he had to interfere in a matter of this kind is not apparent.

In 1769 the deacon of that year had trouble with some of the other office-bearers, and was refused access to the minute book. He had to appeal to the council, who decided (4th September) that there must be "strict obedience of all the subordinate members . . . to the lawful order of their Deacon as enumerated in their Seal of Cause."

In 1775 there was again trouble after the municipal election, and a petition was served on the council<sup>1</sup> by a number of burgesses who alleged that they formed the legal council. Nothing came of that

<sup>1</sup> See Vol. ii. p. 106.

process, but one of those at whose instance the petition was raised was William Henderson, deacon of the weavers. In view of that, the council would not allow him to take his seat at the board. He appeared before the council on 20th July, 1776, and craved to be admitted a member "as he does not know any other council within this Burgh." He was asked if he had not signed the petition to the Court of Session, and refused to answer. It was accordingly decided that he should not be admitted until he retracted, and renounced what he had done. He appeared again on 15th August, alleging that the council had no right to refuse him his seat even if he had concurred in the petition. On 31st August he was called, and having made a declaration that the council was the only council in the burgh, that he knew of no other, nor was he a member of any other, he was admitted to his seat "out of regard to the community."

On 28th September, 1779, when the leet of six candidates was presented to the council, there were selected, following the usual custom, three, from whom the incorporation would choose their deacon. One of these was William Ker, and against him protests were lodged. One of these set forth that he was convicted of telling a "notorious falsehood"; another, that he was a "most unfit person" and that if returned as deacon, those who voted for him would be liable "for all the dreadful consequences." Ker was duly returned as deacon, took his seat in the council, but we hear nothing of the dreadful consequences.

In the Report of the Commissioners on Peebles in 1833, there is the following reference to the weavers:

"The only incorporated craft within this burgh is the Weavers the whole members of which must be burgesses. The present membership is about 32. The fee for admission is 25/. There has been a decrease in the members during the last ten years. Notwithstanding of the Act of Parliament, the incorporation claim and enjoy the exclusive privilege of manufacturing *woollens* within the burgh, and prevent all others from doing so without becoming members of the incorporation."

The Burgh Trading Act of 1846 put an end to their privileges.

## II. CORDINERS OR SHOEMAKERS

While the weavers were the only craft duly incorporated with the right of representation on the council, several other trades were from time to time officially recognised, and endowed with special privileges.

The cordiners applied on 13th June, 1669, for permission

"to keip ane commoun box, and to take and uplift from every persone of their traide within the burgh selling shoes, twelve pennies Scottes, quarterlie, and from everie cordiner without the burgh twelve pennies Scottes, everie faire and mercate day, and to uplift and receive from everie persone of the traide, when he shalbe creat burges and

frieman, such compositiones as the traide, be the special advyse of the magistrattes, shall impose."

The application was granted, the funds so collected to be used for behoof of the "old, infirme, weake and indigent of the traide." In support of this application, a certificate was produced from the deacon of Edinburgh that such was the practice in Edinburgh, Haddington, Lanark, and Cupar, Fife.

As in other trades, however, the council exercised a control over the prices charged for work done, and by an order dated 7th December, 1674, directed the cordiners "to tak no more for single soled work bot eight pennies, and twelve pennies for double soled work."

On 26th February, 1677, the cordiners made another supplication craving the sanction of a regulation that "non of the said traid should tak in any prenteisses or journeymen without the advyse of the magistrattes and haill traid, and payment of such compositiones as sall be imposed be them." The council granted authority in recognition of the trades' "obedience and good compt maid yeirly to the counsell."

On market days, there was a special stance allotted to the cordiners which prior to 1st May, 1676, was between the market cross and the east port. On that date, the council decided that the shoemarket should be at the west end of the High Street where the other markets were. With regard to this market, the cordiners had a grievance, which was that there was no fixed time for the market breaking up, with the result that they were forced "to stand ther til night, the buyers still expecting the best pennie worth last." Accordingly on 12th March, 1683, they petitioned the council "to appoint and set downe such a convenient tyme for raising of the said mercat" as they should think fit. This was reasonable, and the council directed the "shoumercat to begine every mercat day at ane acclock in the efternoon, and to continew for the space of tuo hours tyme, till thrie acclock in the efternoon." This applied to market days only, and full power and liberty was given to the shoemakers "to stand soe long as they please upon the ordinar fair dayes."

The society was dissolved in 1842, the council receiving £1 2s. 6d., being twenty years purchase of an annuity of 1s. 1½d. payable in respect of trade privileges.

### III. TAILORS

Privileges, similar to those allowed the cordiners, were extended to the tailors on 27th December, 1680. In 1722 they increased their charges to 5s. per day, but the council (16th May) objected, and declared that if they refused to work at the old rate (4s.), the burgesses would be entitled to bring in tailors from the country. On a representation made on 9th December, 1772, it was resolved that they should only be obliged to work in their employers' houses from 6 a.m. to 6 p.m. in the summer, and from 8 a.m. to 8 p.m. in the winter.

## IV. THE HAMMERMEN

The masons, smiths, wrights and glaziers, later known as the hammermen, received official recognition on 29th April, 1713, but they were, of course, in existence long before that time. In their case there were some special provisions, such as—that each man who entered upon another man's work, without acquainting him, should pay 30s. Scots to the box ; that any man who did not answer a lawful warning without excuse should pay 4s. to the box ; and that each man who had a right to the fore seat in the kirk on his father's death should not enter thereto till his marriage.

In 1664 there were not sufficient wrights in the town "to compas the work of the burgh," and the council on 27th June granted a licence to one, Alexander Borthwick "upon his sufficient testimoniall of his lyfe and conversatioun." On 8th January, 1711, the wrights complained that the burgesses and inhabitants were employing "country wrights to make wooden work" and bringing them into the town "to sett the same up." The council passed an order putting a stop to this practice, but cautiously added a condition that the wrights serve the inhabitants "alse weill and alse cheap." Previously on 15th December, 1684, the council had occasion to complain of the extravagant charges exacted by the wrights and masons at the "brothering" of apprentices and journeymen. This brothering was the term used for the initiation into a craft or trading guild, and it was usually a convivial affair. It was decided that there was to be no brothering of an apprentice till he had been a year and a day at the trade, and that the sum charged should not exceed 40s. Scots ; also that there was to be no brothering of a journeyman till he had worked under a master for a month—the charge in his case being fixed at £3 Scots.

On 13th November, 1721, the hammermen applied for the sanction of the council to a rule that the period of apprenticeship should be three years in the case of a master of the craft taking in his own son and four years in the case of an ordinary apprentice. This was granted.

On 6th November, 1775, the council had to deal with a complaint against Walter Eckford, the boxmaster of the hammermen. The complaint was that he denied the authority of the council, and had stated "there were no magistrates in the Burgh of Peebles." Eckford and the other officials of these trades were cited to appear before the council, and to bring with them "Book, box and key thereof, and writtings, bills and accompts" to be examined. Eckford did not appear, and was found guilty of the greatest "contumacy," the magistrates being recommended to assert their authority. On 11th November, the magistrates reported that Eckford continued in his "contumacy and disobedience," and had been fined £100 Scots. He refused to pay this fine, and was imprisoned. The fine was then paid, and Eckford appealed by Bill of Suspension to the Court of



Session ; he also raised an action in the Sheriff Court for repayment of the fine. He won both of these actions, but the papers in the processes not being available for inspection, we do not know the grounds for the decisions.

In 1793 the hammermen adopted a series of rules and regulations ; these were revised in 1814, and are still operative so far as they are applicable. According to the preamble :

"The Omniscient Author of our being, for the most wise and excellent purposes, has ordained that riches should not be the lot of every individual, but that the generality of mankind should procure their subsistence by their labour. While health braces the nerves of the industrious labourer or mechanic, he has it in his power to earn sufficiency for the present ; but, deprived of that most valuable blessing, he must soon become a prey to poverty and want, as he can scarcely be supposed (though the most rigid economist), to have accumulated a sum adequate to the demands of that disastrous period."

The officials were a boxmaster, keykeeper, four quartermasters, a clerk, and an officer. The membership fee was 1s. each quarter. The entry fees, for those who had served their apprenticeship, were £1 5s. to the box, 2s. 6d. to the clerk and 1s. to the officer. It was provided that each member, when admitted, must be under forty, of sound constitution, "free from maims or bruises, and capable to gain an honest livelihood by his hands labour ; must be of the Protestant religion, and of a sober moral character." Provision was made for the grant of a weekly sum to superannuated members, and those unable to work. On the death of a member, the boxmaster and the other members, were expected to attend the funeral "in decent apparel." A member's widow was allowed £1 10s. yearly. These rules, "in order that the strictest decency and order may be preserved at the different Meetings of the Incorporation," provided : "That if any member is heard taking God's name in vain, or using any indecent, indelicate, or unbecoming expressions, the Box-master, in the most grave and solemn manner, shall admonish the offending Member, and point out to him the enormity of the crime ; but, should the admonition have no effect, and he still continuing refractory, he shall be fined Sixpence Sterling for each fault."

There is still a society of hammermen in the burgh.

## V. WHIPMEN

On 24th September, 1744, the whipmen (*i.e.* the carriers in the town) applied for a seat in the Cross Kirk, which was granted on condition that, as the space allotted belonged to the guildry it should revert to them when required. In that year the whipmen had formed themselves into a "Brotherhood Bond," but they did not apply for sanction till 15th June, 1759. The object of this bond was "for supporting any of them or others that should enter with them, that might fall

into distress or trouble, or who could not support themselves in time of affliction." The application was granted, the head of the bond or society being styled Lord of the Whipmen. Annual dues for the box were fixed, and the following were some of the conditions. If a carrier had done work for any burghess and had not received payment, no other carrier could do work for that burghess until the first carrier had been paid what was due to him. If any member of the society should happen to "fall out by the way," he should be liable in 2s. 6d. to the box. It was provided that no member with his horse should pass by another member's horse in a confined or narrow road, or trot or gallop past, under the pain of 1s. ; and that the lord and boxmaster must be persons of "respect and character."

The society is no longer in existence, and it has left no records. One of its annual functions took the form of a "Whipmen's Play," which is referred to by the Rev. Alexander Williamson in his *Glimpses of Peebles*, published in 1895. "No more are we permitted to rejoice in the imposing procession with banners at the "Whipmen's Play—a procession which in its passage through the streets was latterly invariably headed by old Mr. John Ker the smith, whose venerable form was elevated on a black horse, richly caparisoned, and gaily adorned with bright coloured ribbons.<sup>1</sup>

## VI. MEN SERVANTS

The men servants of the burgh applied on 24th August, 1674, for the council's sanction to a series of regulations which they had adopted "for avoyding of confusion and for ane peaceable, settled, ordorlie, and regular way in all tyme" thereafter. These provided for the keeping of a common box into which the brothering fees would be paid, the contents to be used in the case of poverty, sickness or infirmity. It was also provided "that everie servant man or lad being in company with any of his brotherine servants who leaves him be the way, and does not to his power helpe him" should pay to the box one merk; also "that everie brother . . . who goes not to his brother's wedding, without ane reasonable excuse," should pay a like penalty. The application was granted on condition that the servants deported themselves "civillie and faithfullie." The brothering of servants had been previously prohibited by the council on 3rd August, 1663, as "ane lawless and unwarrantable evill practicq" unless the special advice of the master or mistress had been obtained.

Servants in the town became very scarce towards the end of the seventeenth century, and the result was that the council passed a resolution on 5th February, 1694, that every person in the town should put his children "to honest men's service." The reason of the scarcity, according to the minute, was "through women gathering home to themselves ther daughters and keeping them spinning worsted, wherby honest peple in the town to get thair service done are forced to hyre peple who cannot give any good accompt of themselves."

<sup>1</sup> Williamson, *Glimpses*, p. 220.

## APPENDIX No. VII.

### THE BURGESSES OF PEEBLES

ORIGINALLY all the heritable property in a royal burgh was owned by the burgesses who had a monopoly of trade, and were responsible for the maintenance of order and the defence of the town against raiding enemies. Their responsibilities were proportionate to their privileges and their rights and duties are defined in the Laws of the Four Burghs.<sup>1</sup> Before anyone could become a burgess, he had to be duly admitted as such by the council, and pay the duties which were fixed. The earliest reference in the extant records to the admission of a burgess is on 2nd November, 1456, when "Will of the Ost" was admitted, and directed to pay for his freedom "xls at the balyeys wil." Subsequently there are many entries, and it appears there was no fixed scale of charges, but almost invariably a cautioner was required who pledged his land in security of the due performance of the duties of "scotting and lotting, wakyn and wardyn." A reduction in the fee is sometimes made for services rendered, as on 30th January, 1457, when "Sandy Cant" was made a burgess. The price of his freedom was fixed at 10s. Scots, and it was declared that of that sum 5s. was "alowit for his rydyn to the ost (army)"; in his case his cautioner was "his eld fader John Mador." But it was not uncommon, instead of exacting a fee, to stipulate for certain services. For example, the following appear as alternatives to money payments—"A rud of caussa"; "a bow and a schefe to the toun"; making a portion of "the dyk of the Wenlau"; "the price of a kyst"; "ladis of stanis"; "byggyn of the buttes"; "a but at the north end of the toun"; "twa treis gevin to the brig at the tolbooth ende"; "ane chawder of lym to the stepil byggyn"; "8s. worth of yrne work to the said stepil"; repair of the "rud in the He Kirk"; "a chawder of lym to the mendyn of Peblis brig"; and "wle and cordis to the knock." Sometimes the burgess silver, as the fee was called, was directed to be given to "my lord Robene Hude" or the "Abbot of unrest in that tyme."

Burgesses were required to dwell in the town, or, as it was put, "to kep in nychtburhed," and on 22nd April, 1555, three were warned to

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<sup>1</sup> *Ancient Laws and Customs of the Burghs of Scotland*, 1124-1424, Edin. 1868.

"mak residence within the freedom of burgh, conforme to thair aith maid thair upone . . . or ellis thai suld be dischargit of thair fredome." On 16th October, 1562, an order was passed that no burgesses were to be admitted in time coming unless they were in-dwellers, and resided in the town both day and night in order that "thair qualificatioun and conversatioun consernyng common weill may be knawin." And on 1st February, 1571, there is a reference to an order of council "that na freman suld be maid in na tymes coming unto the tyme thai maid residence within the toun yere and day, quhairthrouch thair qualities and conditionis mycht be knawing."

Towards the end of the seventeenth century, a resolution was passed by the council (5th February, 1684) fixing the fees payable on admission, on the ground that in the past burgesses had been admitted too easily. These fees were as follows—For the admission of the son of a burges during his father's lifetime, 5 merks to the town box, and 5 merks to guildry box, and a dinner to the council: for anyone married to the daughter of a burges 10 merks; for anyone serving his apprenticeship with a freeman merchant 5 merks; and for all others £20 Scots. And the resolution goes on to provide that "none sall be admitted burges or gild brother without a dinner to the magistrats and counsell." A good example of how councils in those days were able to derive personal benefit at the expense of the inhabitants. A few years before that (5th December, 1681), the council had considered the expense to which they were put in creating burgesses, and they decided to allow the magistrates in future the riot fees or court fines "in requytall quhairof the magistrats ingadged to be at the wholl expenssis of making of whatsomever burgesses that sall happen to be created be them in thair tyme, except to noblemen to quhom the toun are att more expens than ordinary." This is rather obscure. Obviously, except in the case of honorary burgesses, there would or should be no expense in admission, and the fees of composition exacted were a revenue to the town. The arrangement made seems to be one designed to benefit the magistrates personally.

In addition to the ordinary burgesses there was a class known as "calsey burgesses." Their privileges were less extensive, but it is difficult to define their status with any precision. On 26th May, 1608, it was ordained that a calsey burges "haif na pairt of the hillis" *i.e.* no right to pasturage on Cademuir or Venlaw Hill. From that it might be inferred that such burgesses were not possessed of land in the burgh. Again on 25th April, 1653, the council declared James Stevenson, in Haystoun "onlie ane calsey burghess untill he find cawtioun to scatt, loit, watche and waird, as other burgessis." From the name "calsey" and in view of these extracts, it might be assumed that they had only a limited right of trading in the burgh, and occupying a site on the causeway. But why Alexander Murray, brother german to Archibald Murray of Darnhall, should on 9th June, 1624, be created "ane calsey burges" is not at all clear, unless the term covered what is now known as an honorary burges.



A burghess took an oath on admission. The following form is given at the end of the MS. Court Book 1678-1704 :

" I heir protest, before God, that I profes and allow with my heart the trew religion as the samen is profest within this kingdome of Scotland, and authorized be the lawes therof. I shall abyde therat, and defend the same to my lyfe's end. I renunce the Roman religion called Papistrie. I shall be leill and trew to our soveraigne lord the King's Majestie, and his successors, to the proveist and baillies of this burgh. I shall obey the officers of this burgh, fortife, mentain, and defend them in execution of their lawful offices with my body and goods. I shall not colour unfreemens goods under pretence of my own. I shall not purchase lordships nor authorities contrair to the freedome of this burgh. In all taxationes, watchings, wairdings, and all other burdeins to be laid upon the burgh, I shall willingly bear my pairt as I am commanded be the magistrats thereof, and shall not purchase exemptiones to be frie of the same, renuncand the benefeit therof for ever. And so oft as I shall break any poynt of this my oath, I obleis me to pay to the common purse of this burgh ane hundreth pounds Scots, and to remain in waird till the same be paid."

It is evident that certain parts of this oath only came into use after the Reformation.

The Commissioners who visited the various burghs in Scotland in 1833 gave the following report on the burghesses of Peebles.

" The qualification of burghess and guild brother was at one time necessary to entitle any one to manufacture or trade within the bounds of the burgh, but owing it is said to the privileges granted to the military and volunteers during the last war, that qualification is now seldom insisted upon, and a great many persons trade in the burgh without being possessed of that qualification.

" The fees exigible on the admission of a burghess are thus regulated :

For a burghess's eldest son if his father is in life	5 merks Scots.
Do. dead	2½ " "
A burghess' second son, if his father is in life	10 " "
Do dead	5 " "
Any person married to a burghess's daughter	10 " "
Any person serving an apprenticeship within burgh	10 " "
Strangers, such sum as the magistrates may judge reasonable."	

Owing to the abolition of trading privileges, the creation of ordinary burghesses became unnecessary, but the custom of creating honorary burghesses still exists. Among the honorary freemen of Peebles created since 1840, are the following :

4th August, 1841.	William Chambers, LL.D.
4th August, 1841.	Robert Chambers.
28th September, 1860.	John Veitch, Professor of Logic, University of St. Andrews.

- 24th August, 1878. Reverend Henry Calderwood, LL.D., Professor of Moral Philosophy, Edinburgh University.
- 24th August, 1878. Patrick C. Leckie, Silk Broker, London.
- 26th November, 1878. David Leckie, East India Merchant, London.
- 30th March, 1880. William Ewart Gladstone, M.P.
- 11th January, 1888. Sir John Adam Hay of Smithfield and Haystoun.
- 19th October, 1895. William Thorburn of Craigerne.
- 11th October, 1897. Robert Renwick, LL.D., Deputy Town Clerk of Glasgow.
- 1st July, 1905. Sir Duncan E. Hay of Smithfield and Haystoun.
- 15th December, 1906. Charles E. S. Chambers, Publisher, Edinburgh.
- 4th October, 1907. Sir Henry Campbell Bannerman, M.P.
- 19th October, 1909. Andrew Carnegie, Skibo Castle, Sutherlandshire.
- 9th October, 1912. The Earl of Rosebery.
- 9th October, 1912. Lord Murray of Elibank.
- 9th December, 1918. Frank S. Turnbull, Merchant, New York.
- 1st February, 1919. Sir Donald Maclean, M.P.
- 1st February, 1919. Lt.-Col. John Buchan.
- 5th October, 1922. Lord Carmichael of Skirling.
- 5th October, 1922. Field Marshal Earl Haig of Bemersyde.
- 5th October, 1922. Robert Munro, M.P., Secretary for Scotland (now Lord Alness).
- 5th October, 1922. Michael Grieve Thorburn of Glenormiston.
- 5th October, 1922. Clement Bryce Gunn, Doctor of Medicine.
- 11th October, 1923. Richard Turner, O.B.E., M.B.
- 29th September, 1926. Col. R. S. Marshall.
- 3rd September, 1927. William Graham, M.P.

## APPENDIX No. VIII.

### PEEBLES: THE BURGH SCHOOLS<sup>1</sup>

THE education of the young has a long history in Peebles. That there was a school from a very early date is undoubted, for in the magistrates' accounts for 1327, of their intromissions with the royal revenues, there is a payment of 40s. to John, son of Adam Spotis, for his sustentation at the schools by will of the King. The earliest reference in the council records is on 1st October, 1464, when the "balyais ande the nychtburis" appointed "Schyr Wylyam Blaklok to haf the scule, and to be sculmaster and tyll teche the chylder." On 19th January, 1466, the inquest directed that "master Jhon Daly suld haiff all the skwll, owttakand thai that leyryt to syng, siclik as the nychtburis permitted hym, for a yeir, and quha that put ony barnies tyll hym suld pay hym a yeiris pament." In 1468 "Lowrans Jonson" was appointed, and he was promised that "he suld be sythit (compensated) of all nychtburis sonys siclyk as wont and ws is." On 22nd April, 1555, a complaint was lodged against "maister William Newdry, scoilmaister" that he bound the hands of one of his pupils by way of correction. The case was continued to the next court, but was not referred to again. On 27th May of the same year, the bailies were required to provide the schoolmaster with "ane chalmer quhair it may be getting maist convenient," the school to be in the Tolbooth, where he was to teach the children to read and write English. On 2nd November, the schoolmaster undertook to teach the children sufficiently, and it was agreed that if he were absent four days without leave, he should be discharged. In 1556 Sir William Tunno was appointed at a salary of 50s. Scots quarterly, and the treasurer had to find him "ane honest chalmer . . . with chymney, closet and necessariis, exceppand furnishing." On 17th January, 1557, it was decided to give "maister John Lowis twenty merkis of fee for the teching of the Grammare Scoill, and to provide his chalmer himself." The next year Walter Haldane was appointed at a salary of "xls and his adventures." Apparently the council were not very satisfied with the progress made by the children, and on 11th October, 1559, the schoolmaster was directed to separate the "ynglis redaris . . . fra the latinists," and consideration was to be given "gif he techis thame mair diligentlie quhairthrow they consaif mair wisdom nor thai did of before."

<sup>1</sup> See Williamson, *Glimpses of Peebles*, p. 173.

All these pre-Reformation teachers were priests. This is indicated by the designation "Sir" or "Master."

In 1562 the council ordained the schoolmaster "fra this hour furth to wait on the teching of the barneis and exoner him of all utheris pleasouris": and he was given 40s. "to help him till ane gounne." There was evidently a reason for that phrase "all utheris pleasouris," for the following year he was instructed "to wait on the bairnis and nocht to gane to hunting." In 1565 the master was instructed to get a "doctor" in all haste, to teach under him. From the same minute, it is evident that fees were taken from the children attending school, for there is a direction that the landward children were not to be charged more than town children, "onle it be of benevolence."

For a time the council were not very fortunate in their schoolmasters. In 1568 James Crow was dismissed, for what offence is not stated. The following year his successor, David Crichton, was in jail for disobedience, but he broke out "without licence of ony juge or juges." It naturally followed that he was dismissed, but apparently he was in office again in 1571.

On 19th May, 1572, the schoolmaster was allowed the annual rents of the St. Lawrence altar in St. Andrew's Church as long as he "maid residence for instructioun of the youth." Previous to that, on 7th February of the same year, it had been decided that

"ane of the baillies, accompanit with tua honest men, officiare and clerk, pas through the toun to the honest men thair of, and tak thair hand write and promis quhat thai or any of thame wil gif benevolentle to ane qualifiit scoilmaister."

In 1606 there is another example of the council applying church endowments to educational purposes, when they (31st October) "grantit the gift of Sanct Christophouris altare to William Dikison . . . to interteny him at the scholes."

There are several early references to the appointment of a school doctor or assistant. In 1607 the salary to James Cranston was £4 Scots; three years later, the salary to "Harie Forester" was £8; in 1616 the assistant's hours of teaching were fixed from 6 to 9, 10 to 12, and 1 to 6, and his fee was "x merkis termle fra Whitsunday" so long as he served "thankfullie." In April 1627, on the occasion of another appointment, the salary was fixed at 20 merks "with the ordinar quarter payment of the bairnes"; and he had to find himself "chalmer and bed." Again on 16th April, 1638, the council had occasion to consider "the provision of ane doctour to the schole of Peblis"; and it was then decided that he should receive 5s. quarterly from each child, this to be his total remuneration. In April 1639 James Wood, son of George Wood, town clerk of Selkirk, was appointed, and on 11th November of that year there was paid to him for the harvest vacation the sum of £3 6s. 8d. Scots "conforme to ane subscrivit petition."

In 1624 the council had again to complain of lack of attention on



the part of the schoolmaster, and when a new appointment was made in June 1629, the minute is precise as to the duties which had to be discharged. During week days his work began at 6 a.m. The class was opened with prayer; until 9 a.m. he taught "latene and scottis." The next session was from 10 to 12, when a writing lesson was given. The class was resumed in the afternoon from 1.30 to 6, the master "taking ane accompt of thair lessounes at four houris daylie." He was only allowed "to gif the bairnes libertie to play" on Tuesday, Thursday, and Saturday between 2 and 4 p.m. On Saturday, however, he had discretion given to him to let the children away for the afternoon. The schoolmaster then appointed was Mr. William Dikesoun, and as he was also a minister, the council did not insist on him attending school on Sabbath "sa lang as he is exerceissit in the functioun of ane minister."

There was a great flood in Peebles in the autumn of 1631, which carried away the bridge at the foot of the Briggate, known as the "trie brigg." On this occasion the school, which was in close proximity, was inundated.

A new appointment was made on 7th November, 1631, and as the schoolmaster then was not a minister, the appointment gives particulars as to his duties on Sunday. Beginning at 8 a.m. he was to teach the children their scripture lesson, and catechism "till the ringing of the second bell to preiching, at the quhilk tyme he sall go to the kirk with the bairnes in cumlie ordour, and in tyme of preiching mark ony disordour." In the afternoon, he was again to take them to church, and at the end of the service his duty was to "take ane accompt of thair noittis of preiching and Sundayis lessounes." Surely a hard day both for master and children. The salary specified was £100 Scots "with ane competent chalmer, or ellis £9 for the maill thair of"; in addition he was entitled to take fees from the scholars—1s. each quarter from "ilk toun bairne" and one merk each quarter from "ilk landwart bairne." The schoolmaster then appointed—William Martin—continued in office till 1639, and we read that in 1635 he was provided with a copy of Wedderburn's Grammar.<sup>1</sup> But the council were not pleased with him, for in 1637, being dissatisfied with his salary, he took the law into his own hands, and "executed ane edict for augmentation of his stipend to be imposit upon the haill parochin without thair consent." He was succeeded by Alexander Dikesone, who was given a salary of £120 Scots. The duties were similar, with the addition that before the "Scottis barnes"<sup>2</sup> left school on Saturday, he was to give them "a portioune or catechism" which they were to repeat on Sunday "efter the preiching efter-nune." He was also directed to write the school regulations "upon ane large brod" and hang it up for the information of scholars.

<sup>1</sup> David Wedderburn was master of the Grammar School of Aberdeen: See Grant's *History of Burgh Schools*.

<sup>2</sup> i.e. children being taught lessons in Scots.

The position was again vacant in March 1642, and John Baptie was appointed on 5th May upon conditions which are not set forth. The following year there is a reference to the summer holidays which were sanctioned, viz. from 23rd August till Michaelmas. Another appointment was made in 1647—James Currie "lait student in the colledge of Edinburghe"—at a salary of 200 merks with 10 merks for "chalmer mail," and fees as before. Finding the salary inadequate, he applied the following year for an increase, and also relaxation of certain of the conditions, particularly that one which provided that the children would only be allowed to play on Tuesday, Thursday, and Saturday. The application was apparently not granted, and the council were soon looking out for a new schoolmaster. On 30th January, 1649, William Purdie, "brother german to Mr. Patrick Purdie, minister at Newlandes" was appointed on similar conditions, except that during the last quarter of an hour on each week day he was to "make ane prayer, reid ane chapiter in the Bible, and sing ane psalme in a pairt of the psalme book." The following year there occurs the first reference to what became a regular custom, and that is a visit from members of the Presbytery "to try the proficiencie of the scholleris."

The schools were visited by plague in 1645-6, and for that year there is charged in the burgh accounts the sum of 8s. "for ane laid of peitis to clenge the schoole."

On 6th June, 1651, a mortification is entered in the minutes, by "Marie and Issobell and Margaret Tuedie, lawfull daughteres to unquhile John Tuedy, schereff clerk of Peblis" whereby portions of Frankisland (now Frankscroft) and Dalatho, and certain houses in Peebles were gifted for the augmentation of the schoolmaster's salary, on condition that the trustees appointed should have a say in the election of the schoolmaster. The trustees appointed were Sir Michael Naesmyth of Posso, William Tweedie, Wrae, a cousin of the donors, and William Lowes.

The following year the council were again without a schoolmaster. On 2nd April, 1652, Mr. Andrew Watson, the vicar of Peebles, was appointed with a salary of 200 merks, and on 6th May he came under an obligation to instruct the "youth committed to his charge in the groundes of divinitie, and humanitie, and all other liberall sciences"; but he was given a certain amount of discretion, for the teaching was to be at such times as he should think fit, and the work on Sabbath was remitted "to his awne Christiane prudence." Obviously in view of his duties as vicar, he could not observe the former regulations. At this time a resolution was passed requiring parents to send their children to school, and that the chapel bell be rung each morning at 6. Perhaps it may be assumed from this that the school had now been removed from the old tolbooth, which was at the foot of the Briggate, to the chapel buildings, which were situated at the west end of the High Street.

Mr. Andrew Watson, who was appointed in 1652, resigned in March of the next year, but afterwards agreed to remain in office till 1655.

A new master was appointed in October of that year—John Purdie, son of the minister of Newlands—and the council took the opportunity to reduce the salary to 100 merks. Perhaps because of this reduction, he did not remain long, and another appointment was made in May 1656—Robert Speir, son of William Speir, W.S. Then for a period of over thirty years there is no direct reference to another appointment. In 1664 Robert Smyth was the schoolmaster, and applied for an increase of salary. This was refused, and "the old stipend" was continued "being tua hundreth merks yearlie." Two years later, the provost and one of the bailies were sent to Edinburgh "to spear out ane schoolmaister, and in particular Mr. John Whytlaw," but who was appointed is not recorded. In January 1670 the Presbytery were asked to visit the school. In that year Thomas Pillines was in office, and was reproved for his "unproficiencie and for the decaying of the scoole."

In March 1688 "Hendrie Hay" was appointed at a salary of £146 13s. 4d. Scots, with "chalmer," 20 loads of peats, 10 loads of coal, and the usual fees from scholars. There is given in the minute an inventory of the furniture of the schoolmaster's house which was of a meagre nature—"ane bed with ane bottom," a cupboard at the bedside, a shelf between the cupboard and the chimney, a table, a pantry under the stair with lock and key, and a press above the pantry door. There were "snacks" and locks for the doors and "sufficient glas windoes." Immediately after Hay's appointment, the council passed an order requiring all parents to send their children to school, under penalty of being liable for the quarterly fees. If a parent was unable to pay the fees, then it was the duty of the master and doctor to teach his children gratis. At the same time, the magistrates were sent to visit the "women schools," and "to order such boyes as are in the psalm book to goe to the publick schooll." The only other reference there is to these schools is in 1656 when "the women who keepes schoole for female bairnes" were prohibited from receiving "any maill children." Mr. Hay, the new master, did not prove suitable. He refused to pray for King William and Queen Mary and was removed in September 1689. After hearing a report from the members of Presbytery who had interviewed the applicants, the council in November 1689 appointed Mr. John M'Millan. But there was trouble with the previous master, who had meantime opened a private school in the grounds of the Cross Kirk. In October 1691 the council sent a bailie to the meeting of presbytery to report this, and "to take thair advyse whatt is fitt to be done thairanent in suppressing thair of for preventing the ruins of the publick schooll." Nothing seems to have been done, and the result was that the attendance of scholars at the school was far from satisfactory. The council passed a resolution in October 1692 ordaining "the haill inhabitants . . . to putt their children to the publick schooll." From the wording of the resolution, it is evident that the private school in the Cross Kirk was not the only one in the burgh. Three offenders against the resolution

were brought before the Council in January of the following year, two of them being John Govan, an ex-provost, and James Grieve, an ex-bailie. They stated that they had their children at another school, presumably Hay's, and that the new schoolmaster, Mr. John M'Millan, was not qualified as he was a preacher, and "about to get a kirk." The provost replied that "Mr. M'Millan, being found qualified by the presbytery, and having no other charge yet, they ought to put their children to him." But they still refused, and were fined £10 Scots each, and ordered "to ly in prison quhill it be payed." That did not end the matter; the ex-provost and the others raised a suspension of the sentence, and a bailie was despatched to Edinburgh to see what should be done. The upshot is not recorded, but it is little wonder that in February of the same year, the schoolmaster intimated his intention of leaving. The new master was Mr. John Williamson (see pedigree, vol. ii, p. 362), who having passed his trials at the hands of the Presbytery, was appointed in April 1693. The private school at the Cross Kirk, however, was still being kept open, and the council in January 1694 threatened Hay with imprisonment if he did not close it. Perhaps this threat was effective, as there is no further reference to it.

Mr. John Williamson was in office till the beginning of 1711, when the council in view of the "decay of their schooll" dismissed him. Archibald Mitchell was appointed, and on this occasion the council fell foul of the Presbytery who proposed to examine the new master at Traquair instead of at Peebles. This was deemed "inconsistent with the tounes priviledges." The system hitherto had been to examine the applicants in the "chappell or counceill-hous in presence of the magistrats and counsell and such of the inhabitants as think fitt to be there." The council were afraid that an alteration of this method would tend in time to weaken "the toun's right of patronage and presentation of thair schoolmaster." They therefore made the appointment without more ado. The conditions were similar to those in the previous appointments. He was directed to take particular notice of the children "keeping within doors upon the Lord's Day in the afternoon." It was also provided that in case the new master should at any time "make use of the work of the holy ministrie" without the consent of the council, it would be in their power to deprive him of his office. There was soon trouble, for this master could not agree with his assistant or doctor. In November 1711 the council heard a petition from the school doctor, Mr. William Simpson, "complaining of the bad usage he mett with" from the master. The two were exhorted to "live peaceable together, and thereby give a good example to the children under their care." But this had no effect, and the following year (12th March, 1712) it was reported to the council that the master had turned the doctor out of doors, and had beaten him; also, which was worse, had disowned the magistrate's authority and beaten the provost. These "riots and divisions," says the minute, are such that the "toun schooll is thereby broken, and the magistrats' authority



... affronted." Both master and assistant were dismissed, and one wonders if the former then decided to "make use of the work of the holy ministrie."

On 19th March, 1712, a "Mr. Wilsone" was appointed, and the Presbytery were ignored: he was examined by such person or persons as the council should nominate. On the same date, it was decided to give the school doctor another chance, and he was appointed to be "subject and subservient to the present schoolmaster." This school doctor—William Simpson—had been originally appointed in April 1709, before which time he had been a schoolmaster in "Potterraw." He was a master of arts, the council having decided the previous year that the "doctor" should hold that qualification. His salary was £5 sterling with free house, and the usual quarterly fees from the scholars. His predecessor was Robert Robertson, but the appointments of only a few of the school doctors can be traced. Thomas Dickson was in office in 1653, and received £40 (£3 6s. 8d. sterling) "for his stipend and harvest vacance." James Chancellor was appointed in April 1688, succeeding James Anderson, and the salary was then £44 Scots with 6s. quarterly for each child.

"Mr. Wilsone" did not hold his office as schoolmaster long. In 1721 William Tate was in office, but apparently not proving himself efficient. He was removed the following year, and in February 1723 William Wood was appointed "to continue during the council's pleasure and his good behaviour." He duly passed his trials before the presbytery. His school doctor was John Rutherford, who was appointed in May 1721, succeeding James Neilson, who in turn had succeeded William Simpson. Neilson on his appointment in May 1719 was charged "to give close attendance and refrain all idle company."

A complaint was made against William Wood in February 1735. No information is given as to its nature: it was reported to the Presbytery and found to be "groundless and malicious." In May 1751 William Oman was appointed school doctor having satisfied the Presbytery of his "knowledge and skill of teaching English after the new method and explaining a piece of Latin." His salary was £5 Sterling, and 15s. for a house, with 1s. quarterly from each boy in the burgh, and a third part of the quarterly payments from the boys from the country. William Wood, the schoolmaster, was still in office in 1756, but after thirty years' service he was beginning to feel the infirmities of old age, and with the approval of the council he appointed William Oman his assistant. Oman had been school doctor since 1751, and up to that time the school doctor was considered as assistant to the schoolmaster. But now the two posts were quite distinct,—the school doctor, or master of the English School as he was afterwards called, confining himself to the teaching of English, Writing and Arithmetic. In January 1759 the schoolmaster "found himself still on the decline and every day more tender and frail," and made an arrangement with the council whereby

William Oman was continued as his assistant, receiving £8 sterling yearly. In course of time William Oman became schoolmaster, although his appointment does not appear to have been recorded. While he was still school doctor he applied in February 1758, suggesting that church music should be taught in his school; the suggestion was adopted, and he received £2 of extra salary.

The next school doctor referred to is Thomas Brown, who was appointed in April 1762. For the first time, he now gets the title of Master of the English School, his duties being to teach "English, Writing, Arithmetic, and Church music."

A new school-house was built in 1766 facing Tweed Green, on the west side of the wynd still called the School Brae. It was called a "Latin and English School."

Thomas Brown intimated his resignation in November 1778, his purpose being to open a boarding school for teaching "young gentlemen who may be entrusted to my care, such branches of literature as I now possess or may afterwards acquire." The council advertised, and in January 1779 eight candidates for "the office of school doctor or Teacher of English in the Public School of Peebles" appeared before the Presbytery, when John Stewart from Crawford was appointed. He only remained in office two years, and in October 1781 James Gray, a teacher of a private school in Edinburgh, was appointed. He had previously been a candidate in 1779. He was required to "use his utmost care, diligence and pains in the proper education of the youths that shall be committed to his charge, in all the branches of Literature such as the English Language, Writing, Arithmetic, and Church Music." He was a successful teacher, and in 1785 there were over 100 children in his school. The council considered the number "far too many for anyone person to do justice to," and agreed to give £4 sterling to "some young lad as an assistant." In 1796 Gray applied for an increase of fees. At his appointment he was entitled to 1s. a quarter for each of the scholars: in 1782 it was raised to 1s. 6d. for such as were taught Writing and Arithmetic in addition to English. He pointed out that wages had since increased, and that tradesmen, servants and labourers were able to pay more for the education of their children. The council fixed the fees at 1s. 6d. for scholars learning English only, and 2s. for English, Writing and Arithmetic.

William Oman, who had been appointed schoolmaster in 1759, was still in office at the beginning of the nineteenth century. In January 1800 the magistrates suggested that "on account of infirmity" he should resign his charge, on receiving a retiring allowance. This met with no response. After negotiation, however, he agreed to resign in April 1802, on condition that he received during his lifetime "the old school salary of thirteen pounds, and five pounds in name of house rent." At the meeting of council, at which this arrangement was come to, "it was stated to him that he had long filled the office of Latin Schoolmaster of this place, with much

satisfaction to the magistrates and public in general, but being now far advanced in life . . . and his school being now much on the decline, and the Boarding School entirely given up, it was the wish of the magistrates and Council that an attempt be made to encourage the Boarding School of new and increase the Latin School by some young active person in his place."

The new Schoolmaster, or, as he was now called, Master of the Latin or Grammar School, was James Sloane, who came from Tranent. His salary was £13 10s. with a free house, and the following quarterly fees from each scholar in the town—English alone 2s. ; with Arithmetic 3s. ; with Arithmetic and Latin 5s. For children from the country he was authorised to charge such fees as he could fix with their parents. The following year he was allowed £12 a year for an assistant, and he was enjoined "to cause his scholars to repeat the catechism in church on Sundays as usual, and to meet his scholars previous to divine service and attend them to church and enforce their attendance thereat." In May 1804 he applied to the council for a larger house so that he could keep more boarders. He pointed out in his letter that it was the prospect of keeping boarders that brought him to Peebles, and suggested that if the town built a house for the accommodation of thirty boarders, he would pay 5 per cent. interest on the price, after allowing the value of his present house. As a result of this, ground adjoining Tweed Green was purchased, and a house built which is still known as the Rectory. The cost of the building was £635 5s. 4d. In December 1807 Sloane applied for an increase of salary, and received an addition of £10 10s., bringing it up to £23 10s. yearly, exclusive of fees.

In 1812 a new Grammar School was built at the foot of School Brae, immediately opposite to the English School.

In the beginning of the nineteenth century a Mr. Brown was teacher of the English School, but his appointment is not recorded. In January 1800 he was required to change his assistant, but the reason is not given. He was also enjoined to enforce the attendance of the children at church, and to take care of them "all through the Sabbath day." Complaints were received that he was not keeping fires on in the school, and he was accordingly ordered to provide fuel for that purpose, "the expense to be repaid by the scholars." Brown died in January 1804, and James Gray, who had formerly held the position, was reappointed at a salary of £18. In 1807 the council authorised an increase of the fees by 3d. each quarter, to be paid to a suitable assistant, and in addition agreed to pay the assistant a salary of £10. The following year Gray received an addition to his own salary of £10. He died in May 1810, and his assistant, John Elliot, was appointed in his place. He filled the position till the beginning of 1822, when he died. In March of that year, after advertisement and examination of candidates, Alexander Bathgate was appointed.

In January 1804 the council decided to advertise for a schoolmistress to teach girls sewing "and the early branches in that line of

female education." There is no record of an appointment being made. It is stated in the Report by the Commissioners in 1833 that the council patronised a school for females, and allowed the mistress £5 a year of salary, but that the school was kept in her own house. There is only one other reference in the records to this female school. On 4th October, 1858, a letter was received from Miss Isabelle Horsburgh resigning her charge as teacher on the grounds of ill-health. According to this letter she had been forty years in office, of which thirty-six had been under the special patronage of the council. There is no record of another appointment having been made.<sup>1</sup>

In the Report by the Commissioners in 1833 particulars are given of the burgh schools at that date :

"There is one School for English, and one Grammar School, under the patronage of the burgh, and the teachers are appointed by the Council.

"The salary paid the English Teacher is £38 per annum ; and to the grammar school teacher £10, and a free house for the accommodation of boarders, with a small garden, the annual worth of which may be about £50.

"The fees to the English schoolmaster are for teaching English 2s 3d, and writing and accounts 3s 3d per quarter, and for teaching geography and mathematics, as may be agreed on ; and to the grammar schoolmaster the same fees for these branches, and 5s per quarter for teaching Latin. These fees have not been altered during the last ten years.

"The magistrates and council have at different times fixed the fees of the teachers, and enacted regulations for the government of the schools.

"The number of scholars attending annually at the English school for these last ten years, has varied from 70 to 100 ; and the number attending the grammar school for the same period averages 55.

"The branches of education taught in the English school are reading, writing, arithmetic, geography, and mathematics ; and in the grammar school English, writing, arithmetic, mathematics, geography, history, and the French, Latin and Greek languages."<sup>2</sup>

In November 1828, on the suggestion of John Wood, Sheriff of the County, it was agreed to form a library for the use of the two schools. Sir John Hay contributed £20 for this purpose, and the Sheriff and the Member for Parliament £5 each. The council before deciding to give a subscription, desired to see "the terms and regulations on which the library is to be instituted."

In 1837, the council being dissatisfied with the way in which the

<sup>1</sup> For information as to the female schools in the burgh, see Williamson, *Glimpses of Peebles*, pp. 187, 189, 191.

<sup>2</sup> In the *Second Statistical Account* (1834) it is stated that the number of scholars in the burgh was 491, viz. : Grammar School, 18 day scholars and 48 boarders ; English School, 81 scholars ; three schools taught by females, 87 ; and three private schools, 257.



English School was being conducted, instructed the provost and one of the bailies to visit it, but they reported on 4th December that they found the "matters connected with the school better than they were led to expect." The following year, there having been further complaints, they asked for a return of the scholars in attendance. They had also trouble with Mr. Bathgate over the question of a suitable assistant. He had appointed his third son, Jabez, as assistant, but the council were not satisfied, and directed the treasurer to withhold payment of the salary. Mr. Bathgate having informed them in January 1841 that he could find no one more suitable, they agreed to have him examined by the parish minister, whose report was favourable. In October 1843 Mr. Bathgate presented a petition to the council complaining that his salary was inadequate and objecting to the master of the Grammar School being allowed to teach "any initiatory class in these branches for which he was appointed to the English School." This was allowed to lie on the table. Mr. Bathgate fell into ill-health, and resigned in November 1849, receiving as a retiring allowance his salary of £28 per annum. John Willins was appointed *interim* master, as the council were considering a proposal to unite the two schools. Nothing came of this, and John Willins was formally appointed master in March 1850, his salary, so long as Alexander Bathgate drew his retiring allowance, being £10 per annum, with the school fees, and a free house.

James Sloane, master of the Grammar School, resigned in 1843, and the council were beginning to feel the strain of keeping two schools. They took legal advice as to whether they could compel the heritors in the parish to contribute towards the cost. The opinion received was unfavourable, so they decided to take the first opportunity of uniting the two schools. This decision, however, was never acted on. Mr. Sloane's successor was Mr. A. Balfour, but his term of office was short, as he resigned in October 1845 on receiving the appointment of Rector of Musselburgh Academy. The following month, John Russell, Schoolmaster, Polmont, was appointed master of the Grammar School.

In 1858-61 the English School was rebuilt. John Willins, appointed in 1850, was succeeded in April 1861 by Alexander Robertson, Gartshore. The salary was fixed at £28, with £10 for an assistant when the number of pupils exceeded sixty. The fees were increased, and ranged from 2s. 6d. each quarter for English, to 4s. 6d. if the subjects included grammar, geography, arithmetic and mathematics. A few months later the new master proposed that the school should be placed under Government inspection, and that he should be allowed pupil teachers. He pointed out that he could not afford to keep an assistant, and that the Government grant of £56 per annum would be of great service. The council agreed. So far as recorded in the minutes, the reports by the Government Inspector showed that the school was well conducted. In 1863 we read: "the school is remarkably well conducted; a very creditable appearance is made generally." In 1864, "the school maintains its higher character."

John Russell, master of the Grammar School, died in 1859 and he was succeeded by Dr. Thomas W. G. Robson from Edinburgh. This school was also put under Government inspection, but none of the reports are recorded. The salary was now £25 and the fees :

English and Writing	-	-	-	-	-	4/	each quarter.
„ with Arithmetic	-	-	-	-	-	4/6	„ „
„ with Grammar and Geography	-	-	-	-	-	5/	„ „
„ with Latin and Mathematics-	-	-	-	-	-	7/6	„ „
„ with French or Greek	-	-	-	-	-	10/	„ „

It was a condition of the master's appointment that no religious test would be required; but the candidate must be a member of some evangelical denomination, and his moral character must bear the strictest scrutiny.

The following year Dr. Robson resigned on being appointed to the headmastership of the Madras Academy, Cupar, Fife. "It may be some palliation," he wrote, "for the sudden departure, and gratifying to the Patrons of the Grammar School to know that their Rector has been selected from a leet of forty-one candidates from all parts of the empire to take charge of one of the largest—if not the largest—school in Scotland." It was resolved to advertise for a successor, and the salary was stated at £40 per annum. But before the appointment was made the salary was reduced to the old figure. Dr. Robson's successor was Mr. P. Cameron from Edinburgh. The following year the school was extensively repaired—the walls were increased in height, the roof and floors renewed and new windows put in. Mr. Cameron was succeeded by Robert Scott, but the date of the latter's appointment is not recorded. He was in office in the beginning of 1868.

The Education Bill was considered by the council in March 1871, and they were generally in favour of it. But they resolved to petition against the provisions superseding councils in the management of burgh schools, and compelling them to pay over the present salaries to a new board over which they had no control. The bill was passed in the following year and the long history of the council's educational activities came to an end. In November 1873 the clerk to the new school board wrote requesting payment of the sum of £100 "which it has been the custom of the Burgh, prior to the passing of the Act, to contribute to the Burgh Schools out of the Common Good." The council took up the position that they were not liable, and also that they were entitled to retain the management of the schools. A special case was stated to the Court of Session,<sup>1</sup> but the Lord Justice Clerk (Moncrieff) had no difficulty in deciding that the schools were vested in the school board, and that under section 46 of the Act, the council were bound to continue the yearly payment of £100.

<sup>1</sup> School Board of Peebles, 1874, 40 S.L.R. 305.

## APPENDIX No. IX

### *ADDENDA ET CORRIGENDA*

#### VOLUME I

##### CHAPTER I—PREHISTORIC AND ROMAN PERIODS

- p. 4, ll. 22 and 23. The descriptive terms "westwards" and "eastwards" are not intended to indicate compass bearings. They have reference merely to the general direction of the Tweed Valley, gathering the river to the eastern sea. As a matter of fact Loch Craig Head bears almost due south from the summit of Broad Law.
- p. 7, l. 7, for "southern" read "northern."

##### CHAPTER II—HISTORICAL OUTLINE

- p. 66, l. 20. The "Tinnies" referred to is not Tinnies Castle in Peeblesshire, but Tinnies in Selkirkshire.

##### CHAPTER IV—THE COUNTY IN THE GREAT WAR

- p. 129. Among the military units furnished by the County, special mention should be made of the Peeblesshire troop of the Lanarkshire Yeomanry Regiment, which consisted of 2 officers and 32 other ranks. Officers in 1914 were Capt. (Major) W. Hunter Thorburn; Lieut. (Major) H. R. Marshall; Sergt. (Lieut.) J. Ballantyne; and Q.M.-Sergt. W. Johnston. The following is a brief record of the regiment's service during the War:

Left United Kingdom for Gallipoli, September 1915.

Arrived Cape Helles, October 1915.

Left Mudros for Alexandria, February 1916.

(The regiment became the 12th Battalion Royal Scottish Fusiliers in January 1917.)

Left Egypt for Marseilles, May 1918, and remained on the Western Front until the end of the War.

- p. 136, l. 25, for "Mrs. H. C. Simpson" read "Mrs. H. D. Simpson."

- p. 139, l. 4, for "Mrs. H. C. Simpson" read "Mrs. H. D. Simpson."

- p. 152. *War Memorials*. It should have been made plain in text and illustrations that the memorials situated in Peebles, *i.e.* the Shrine and the Hospital, are *County and Burgh Memorials*.
- p. 152, l. 34, for "Mr. M. G. Thorburn, D.L., of Glenormiston," read "the Right Honourable Robert Munro, M.P., Secretary for Scotland" (now Lord Alness).

- p. 153, l. 12. *Broughton Memorial*. For "Sir Robert Lorimer" read "Mr. Andrew Robertson, Architect, Glasgow."

- p. 153, l. 29. *Innerleithen Memorial*. The following, from an authoritative source, supplies certain additions and corrections :  
The Memorials, which stand on the site of the residence formerly known as Home Villa, that property having been gifted to the town by Mr. Henry Ballantyne, Tweedvale House, Walkerburn, take two distinct forms.

The Memorial to the fallen consists of a representation in rock-work of the valley which the men left when they went on service. Let into the centre of the Memorial is a bronze tablet with the names of 72 officers and men who died on active service. This tablet was unveiled on 3rd December, 1921, by Lieut.-Col. C. M. Robertson, O.B.E.

A Memorial Hall was also erected on the site, in thanksgiving for the sacrifices made by all who served. The Hall was opened on 11th November, 1922, by Sir Henry Ballantyne, of Monkrigg, on behalf of his uncle, Mr. Henry Ballantyne ; Provost Matheison presiding.

At the same ceremony a Roll of Honour was unveiled, showing the war record of the men and women of Innerleithen, Glenormiston and Leithen Water who had worn His Majesty's uniform in the War. This Roll was a gift to the town by one of their number.

To enable the Memorials to be erected, subscriptions had been received from nearly every household. Almost every person, including some old-age pensioners, contributed to the fund, so genuine was the desire of all to show recognition of what these men and women had endured in serving their King and Country (vol. ii. p. 439).

- p. 156. Balfour, Capt. A. R., M.C., for "Lanarkshire Yeomanry" read "Lothians and Border Horse." For "Balfour, Captain Gourlay, M.C.," read "Capt. W. Balfour Gourlay."
- p. 157. Murray, Lieut.-Col. Arthur Cecil, King Edward's Horse, D.S.O. ; mentioned in despatches.
- p. 159. Thorburn, Major Charles, R.S. Fusiliers, French Croix de Chevalier (Légion d'Honneur) ; mentioned in despatches.  
Thorburn, Major (Colonel) A. B., Argyll & Sutherland Highlanders ; mentioned in despatches by General Sir Douglas (Lord) Haig, 30th April, 1916.



- p. 161, l. 7, for " Sub.-Lieut. A. D. Gibson " read " Sub.-Lieut. A. D. Gibson Carmichael."
- p. 163, l. 12. Mr. Ramsay Smith was not Treasurer of the Soldiers' and Sailors' Families Association in the County, that office having been filled by Mrs. Ramsay Smith, who acted as such during and since the Boer War. Mr. Ramsay Smith, however, took an active part in the work of the Association, and, as County Clerk, as well as privately, in the various War Organisations in the County. He was also instrumental in obtaining substantial subscriptions to the various War Loans, as well as to the County and Burgh War Memorial to the fallen, and the War Memorial Hospital.

## CHAPTER VII—ARCHITECTURE IN THE COUNTY

- p. 232. Delete last word on line 1 and lines 2 and 3. It was Tinnies in Selkirkshire which was demolished by William Stuart of Traquair.

## CHAPTER VIII—AGRICULTURE OF PEEBLESSHIRE

- p. 277, l. 28, for " Hamildene " read " Hamilton."

## CHAPTER IX—GEOLOGY

- p. 308. Plate XIV. Graptolites.

- |                                    |                                                                 |
|------------------------------------|-----------------------------------------------------------------|
| 1. <i>Monograptus priodon</i> .    | 4. <i>Climograptus bicornis</i> .                               |
| 2. <i>Diplograptus truncatus</i> . | 5. <i>Nemagraptus</i> ( <i>Coenograptus</i> ) <i>gracilis</i> . |
| 3. <i>Dicranograptus ramosus</i> . |                                                                 |

- p. 318. Examination of the igneous rocks occurring on Preston Law and Canada Hill south and south-west of Peebles has shown them to be Quartz Porphyries. That on the summit of Kailzie Hill has been determined as a Hornblende Granite by Mr. Mowbray Ritchie, B.Sc. The igneous rocks at Skirling Craigs were found to be Arenig Lavas.

Outcrops of the Granodiorite exposed on Kirna Law were found also on the hill slopes near Priestthope.

- p. 322. J. K. Charlesworth, D.Sc., Ph.D., F.G.S., in a paper *The Readvance, Marginal Kame Moraine of the South of Scotland, and some Later Stages of Retreat*, published last year in the *Transactions of the Royal Society of Edinburgh*, maintains that the Biggar gap was used as an overflow channel from Lake Clyde during the later phases of the Glacial Period. By this exit, he says, the melt waters from the snout of the receding Upper Clyde Glacier, from the many miles of the margin of the Highland Ice standing below Lanark, and the land drainage from the ice-free country about the Hagshaw Hills and the

Douglas Basin, found escape. At that time the middle Tweed valley must have been clear of ice.

- p. 329. Dolerite blocks indicate the positions of a series of Quartz Dolerite dykes.

#### CHAPTER X—BOTANY

- p. 342, l. 22, for "2723 ft." read "2754 ft."  
 p. 419, l. 5. The tradition that Linnaeus visited Dawyck is without foundation.

#### CHAPTER XI—FAUNA

- p. 430, after l. 32, read "On 10th September 1926 a large migration of Geese and Duck was noticed at Peebles early in the morning. The weather was thick at the time. The following night the migration was continued and caused quite a stir in Innerleithen. *The Innerleithen Gazette* of 15th September reported that almost the whole town turned out of bed so loud was the screeching and flappings of wings. The birds kept circling round for over two hours. It was not possible to identify exactly any of the species."
- p. 436. After paragraph 2 insert "FAMILY VESPERTILIONIDAE. *Myotis daubentoni* (Kuhl), Daubenton's Bat. This bat can be seen in some numbers on sheltered stretches of Lyne Water between Drocil and Wester Haprew, and probably occurs in other parts of the County as well.—T. G. Laidlaw."
- pp. 448-449. *Acredula caudata* (L.), Long-tailed Titmouse. Mr. R. C. Blackwood reports having found a nest of this Tit at Haystoun in 1916.
- p. 462. *Strix flammea* (L.), Barn Owl. A specimen was caught in Neidpath Estate on 3rd August, 1926, and sent to the Chambers' Museum, Peebles, with a view to being set up.
- p. 470. *Columba oenas* (L.), Stock-dove. The first paragraph on the page refers to the Wood Pigeon, *Columba palumbus*, and not to the Stock-dove.
- p. 477, after paragraph 1 insert "*Numenius phaeopus* (L.), Whimbrel. Mr. T. G. Laidlaw reports having both seen and heard this species at Halmyre, near West Linton, on 30th July, 1924."
- p. 478, after paragraph 3 insert "*Larus marinus* (L.), Greater Black-backed Gull. A pair was seen circling the hills near Halmyre, near West Linton, on 30th December, 1924.—T. G. Laidlaw."
- p. 479. *Mergulus alle* (L.), Little Auk. A third specimen was found near Broughton about 15th December, 1926, and was placed in the Curling Pond. From there it went to the Schoolhouse

Garden at Glenholm, but returned to the Pond (*Peeblesshire Advertiser*, 24th December, 1926).

*Note.*—As a result of the above additions the numbers given on page 435 require alteration, the number of mammals being raised from 35 to 36, and the total number of birds recorded from 155 to 157.

## APPENDIX No. II—THE TERRACES OF THE ROMANNO TYPE

- p. 494. There has been much discussion as to the nature of these terraces. The editors have received an article from Mr. Robert Eckford, for which they cannot, unfortunately, find space in this volume, in which he advances arguments in favour of their construction by man at some period relatively recent or remote. He furnishes evidence for the thesis in the case of the Venlaw Terraces by demonstrating that the soil on the terraces showed a considerable admixture of charcoal. The question arises whether the various terraces can all be brought into one category, and, in view of the fact that quite a number of similar terraces are now known to occur at various places in the south of Scotland, the editors would suggest that a commission of experts should be constituted to investigate the whole subject.

## VOLUME II

### CHAPTER I—PEEBLES IN EARLY HISTORY

- p. 10, l. 31. *The Cleikum Inn.* A charter was granted in 1601 by King James VI., in favour of John Govan of Cardrona, confirming the earlier charter by Robert II. The Govan family remained the proprietors till the middle of the seventeenth century, when it was acquired by the Williamsons of Cardrona, who for more than a century after that used it as a town house.
- p. 33, l. 5. *Deans Park.* In pre-reformation times the Deanery of Peebles formed part of the Archdeaconry of Teviotdale in the Diocese of Glasgow. Probably the successive deans of Peebles resided in the town, as there was a property called the Dean's House, which adjoined a narrow wynd connecting the High Street with the Briggate, still called the Dean's Wynd. There was also the Dean's Gutter, but that name is no longer in use. Dean's Park is a triangular piece of ground on the east side of the Northgate and adjoining on the north the road leading to the L. & N.E. Railway Station. The first record of the name is in 1560, when Sir Adam Colquhoun, dean of Peebles at the time and chaplain of the Altar of SS. Peter and Paul, feued the ground, which extended to 2½ acres, to John and James Dickson.

A feuduty of 25s. was payable for the ground and 10s. for a barn erected on it. At that time churchmen were disposing of their property in view of the impending confiscation of ecclesiastical benefices. The charter was granted by Adam Colquhoun, with consent of his predecessor John Colquhoun, and the Town of Peebles as patrons. The Dickson family held the lands till 1651, when they were sold to Mr. Hew Ker, parson of Lyne, who in turn sold them in 1676 to James Williamson of Hutcheonfield. Of late years the property has been feued out and built on, and the Williamson family, now represented by Miss Katharine Isabella Williamson, still hold the superiority.

#### CHAPTER II—PEEBLES 1600 TO 1700

p. 62, l. 22, for "son" read "brother."

#### CHAPTER III—PEEBLES 1700 TO 1800

p. 121, l. 36. *Meadow Well Strand*. The Meadow Well is still in existence on the fairway of the eleventh hole of the golfcourse, adjoining Eliot's park.

#### CHAPTER VII—THE PARISH OF PEBBLES

p. 350. *Little Ormiston*. During the seventeenth century this property belonged to a branch of the Burnet family. Robert Burnet of Little Ormiston is referred to in 1678, 1689, and 1690. Sir James Naesmyth, first Baronet of Posso (vol. iii. p. 568), acquired it by adjudication from John Dundas of Harvieston, and it was his grandson, the third Baronet, who sold the property in 1809.

#### CHAPTER IX—THE PARISH OF EDDLESTON

p. 457, l. 24, for "Alexander" read "Archibald."

p. 463, l. 13, for "Archibald" read "Alexander."

p. 463, l. 27, for "Archibald" read "Alexander."

#### APPENDIX

p. 554, l. 38, add "1926, George Anderson."



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